

## Memorandum 2020-53

**2020 Legislative Program (Status Report)**

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The final disposition of Commission-related<sup>1</sup> bills introduced in 2020 is as follows:

- The bills to implement the Commission's recommendations on the California Public Record Act (AB 2138 & 2438 (Chau)) were withdrawn by the author, for possible reintroduction next year.
- The bill on trial court restructuring (AB 1984 (Maienschein)) was enacted.<sup>2</sup>
- The bill on revocable transfer on death deeds (SB 1305 (Roth)) was amended to extend the sunset date on the RTODD statute but do nothing more. It was enacted in that form.<sup>3</sup>
- The Commission's resolution of authority (ACR 173 (Gallagher)) was enacted.<sup>4</sup>

After ACR 173 was chaptered, the staff discovered a significant error. In preparing draft bill language for the resolution, the Executive Director inadvertently included language to delete the Commission's authority to prepare a recodification of the California Public Records Act. That was not one of the obsolete grants of authority for which the Commission had decided to request deletion. The staff greatly regrets that error.

Fortunately, the error should be harmless, because the deleted authority is largely obsolete. The Commission's recommendation on the CPRA recodification was finalized in 2019. The only work that remains to be done on that topic is to update the recommendation to reflect subsequent legislation and, possibly, tinker with the nonsubstantive index of exceptions to disclosure. Both of those

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1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website ([www.clrc.ca.gov](http://www.clrc.ca.gov)). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

2. See 2020 Cal. Stat. ch. 210.

3. See 2020 Cal. Stat. ch. 238.

4. See 2020 Cal. Stat. res. ch. 46.

are technical matters that are covered by the Commission's general grant of authority to study technical and minor substantive reforms.<sup>5</sup>

For that reason, the staff does not believe that it would be necessary or advisable to seek the reenactment of the deleted authority. Doing so would not serve any practical purpose and would likely cause confusion about the status of the Commission's work on that topic.

Respectfully submitted,

Brian Hebert  
Executive Director

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5. See Gov't Code 8298.