

Admin.

January 7, 2021

## Memorandum 2021-1

**Minutes of Meeting on December 17, 2020 (Draft)**

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The California Law Revision Commission held a meeting on December 17, 2020, by teleconference.<sup>1</sup> A draft of Minutes for that meeting is attached for Commissioners to review.

The attached draft will be deemed final after it is approved by a vote of the Commission. When voting, the Commission may make specific changes to the Minutes. If so, those changes will be memorialized in the Minutes for the meeting at which the vote occurred.

The Bagley-Keene Open Meeting Act provides that attendees cannot be required to identify themselves.<sup>2</sup> As a means of observing that rule, the Commission is only listing attendees who have affirmatively consented to being identified in the Minutes, as part of the registration process required for those who wish to attend the meeting.

Respectfully submitted,

Brian Hebert  
Executive Director

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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. Gov't Code § 11124.



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**DRAFT MINUTES OF MEETING**  
**CALIFORNIA LAW REVISION COMMISSION**  
December 17, 2020

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A meeting of the California Law Revision Commission was held on December 17, 2020. Consistent with Executive Orders N-25-20 and N-29-20, the meeting was held as an online video webinar.

Only those members of the public who expressly consented to inclusion in the Minutes are listed as attendees.

**Commission:**

- Present:* Crystal Miller-O'Brien, Chairperson  
Richard Simpson, Vice-Chairperson  
David A. Carrillo  
Ana Cubas  
Victor King  
Jane McAllister  
Richard Rubin

- Absent:* Assembly Member Ed Chau  
Cara Jenkins, Legislative Counsel  
Senator Richard D. Roth

**Staff:**

- Brian Hebert, Executive Director  
Barbara Gaal, Chief Deputy Director  
Kristin Burford, Staff Counsel  
Steve Cohen, Staff Counsel  
Debora Larrabee, Administrative Analyst

**Other Persons:**

- Sarah Foley  
Corrina Gomez

CONTENTS	
Approval of Actions Taken.....	2
Minutes .....	2
Administrative Matters.....	2
Report of Executive Director .....	2
Commissioner Suggestions.....	2
Annual Report .....	2
Study E-200 — Recodification of Toxic Substance Statutes .....	2
Study G-400 — California Public Records Act Clean-Up.....	3
Study L-3032.5 — Stock Cooperatives and the Uniform TOD Security Registration Act .....	3

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APPROVAL OF ACTIONS TAKEN

Unless otherwise indicated, the Commission decisions noted in these Minutes were approved by all members present at the meeting. If a member who was present at the meeting voted against a particular decision, abstained from voting, or was not present when the decision was made, that fact will be noted below.

MINUTES

The Commission considered Memorandum 2020-65, presenting draft Minutes for the November 19, 2020, meeting.

The Commission approved the Minutes, without change.

ADMINISTRATIVE MATTERS

**Report of Executive Director**

The Executive Director recognized and expressed his appreciation to Steve Cohen and Debora Larrabee for 15 years of service to the Commission and the People of California.

On the Executive Director’s recommendation, the Commission cancelled its scheduled January 2021 meeting.

**Commissioner Suggestions**

No suggestions were made.

**Annual Report**

The Commission considered Memorandum 2020-66, presenting a staff draft of the body of the Commission’s 2020-21 Annual Report and the appendix that contains Commissioner biographies.

The Commission approved the report for publication and distribution to the Legislature and the Governor, after the staff makes a technical style change directed by the Commission, and finalizes the other appendices to the report.

STUDY E-200 — RECODIFICATION OF TOXIC SUBSTANCE STATUTES

The Commission considered Memorandum 2020-70, continuing the discussion of the Commission’s tentative recommendation on the Hazardous Substance Account Recodification Act.

The Commission made the following decisions:

- 1 • The Commission approved the revised language for proposed
- 2 Section 68200, which is presented on page 2 of the memorandum.
- 3 • For the proposed consent matters, the issues will be addressed as
- 4 presented in the memorandum.

5                   STUDY G-400 — CALIFORNIA PUBLIC RECORDS ACT CLEAN-UP

6       The Commission considered Memorandum 2020-67, relating to

7 reintroduction of the Commission’s proposed recodification of the California

8 Public Records Act (“CPRA”). The Commission approved the revisions and

9 other drafting decisions described in the memorandum.

10       The Commission also considered Memorandum 2020-68, relating to

11 reintroduction of the conforming revisions for the Commission’s proposed

12 recodification of the CPRA. The memorandum was purely informational. No

13 Commission action was required or taken.

14                   STUDY L-3032.5 — STOCK COOPERATIVES AND THE

15                   UNIFORM TOD SECURITY REGISTRATION ACT

16       The Commission considered Memorandum 2020-69, which discusses the

17 development of a statute to allow for the nonprobate transfer of an owner’s

18 interest in a stock cooperative. The Commission made the decisions described

19 below.

20       The process for executing and authenticating a transfer on death designation

21 for an interest in a stock cooperative will be based on a “registration” approach

22 with the following elements:

- 23       (1) The transferor will sign a transfer on death registration form in the
- 24       presence of an agent of the stock cooperative.
- 25       (2) The agent will countersign.
- 26       (3) Both signatures will be notarized.
- 27       (4) On proof of the transferor’s death, the stock cooperative will
- 28       reregister the interest in the beneficiary’s name as the new owner.

29       No further witnessing will be required. No notice to the deceased transferor’s

30 heirs will be required.

APPROVED AS SUBMITTED

\_\_\_\_\_  
Date

APPROVED AS CORRECTED  
(for corrections, see Minutes of next meeting)

\_\_\_\_\_  
Chairperson

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Executive Director