

Memorandum 2021-4

2021 Legislative Program (Status Report)

The attached table shows the status of Commission-related legislation in 2021.¹ Additional information is provided below.

Trial Court Restructuring

Assembly Bill 414 (Maienschein) would implement the following Commission recommendations on trial court restructuring:

- (1) *Statutes Made Obsolete by Trial Court Restructuring (Part 7): Completion of Studies Under Government Code Section 70219* (Oct. 2020).
- (2) *Trial Court Restructuring Clean-Up: Regional Justice Facilities Acts* (Sept. 2020).

California Public Records Act

Assembly Bill 473 (Chau) would implement the Commission's recommendation on *California Public Records Act Clean-Up*, 46 Cal. L. Revision Comm'n Reports 207 (2019).

Assembly Bill 474 (Chau) would implement the Commission's recommendation on *California Public Records Act Clean-Up: Conforming Revisions*, 46 Cal. L. Revision Comm'n Reports 563 (2019).

Various technical revisions were required in preparing those bills for introduction, in order to incorporate relevant 2020 legislative changes and make other corrections. The Commission has already approved some of those revisions (the revisions of the proposed legislation that is now in AB 473). The other technical revisions we made will be discussed in a supplement to this memorandum or in a future memorandum.

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). 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.

Eminent Domain: Pre-Condemnation Activity

The staff has requested that the Commission's recommendation on *Eminent Domain: Pre-Condemnation Activities* (Sept. 2020) be included in this year's "civil omnibus" bill that will be introduced by the Assembly Committee on Judiciary. That bill has not yet been introduced.

Resolution of Authority

Assembly Concurrent Resolution 24 would renew the Commission's existing study authority and add one new grant of authority that was recommended by the Commission — authority to study whether the law should be revised to create special rules to apply during a declared emergency.

The Commission had also recommended that it be granted authority to study interstate reciprocity for higher education. Language to grant such authority was *not* included in the resolution.

Before the resolution was introduced, the staff was contacted by legislative staff who had heard of the Commission's interest in that topic and wanted to discuss it informally. In the confidential discussions that followed, it became clear that there were strong reservations about the Commission using its resources to study that topic.

The Executive Director spoke with the Commission's Chair and shared the broad tenor of those discussions. She agreed with the Executive Director that it would not be productive to pursue the request further. For that reason, it was omitted from the resolution.

Revocable Transfer on Death Deed: Follow-Up Study

Senate Bill 315 (Roth) would implement the Commission's recommendation on *Revocable Transfer on Death Deed: Follow-Up Study*, 46 Cal. L. Revision Comm'n Reports 135 (2019).

Common Interest Development Meetings During Emergencies

Senate Bill 391 (Min) would implement the Commission's recommendation on *Emergency-Related Reforms: Common Interest Development Meetings* (Nov. 2020).

Respectfully submitted,

Brian Hebert
Executive Director

Status of 2021 Commission Legislative Program

As of February 16, 2021

		AB 414	AB 473	AB 474	AB ____	ACR 24		SB 315	SB 391		
		Introduced Last Amended	2/3/2021	2/8/2021	2/8/2021		2/8/21		2/4/2021	2/11/21	
First House	Policy Committee										
	Second Committee										
	Passed House										
Second House	Policy Committee										
	Second Committee										
	Passed House										
Concurrence											
Governor	Received										
	Approved										
Secretary of State	Date										
	Chapter #										

Bill List: AB 414 (Maienschein): TCR omnibus
 AB 473 (Chau): CRPA
 AB 474 (Chau): CPRA Conforming Revisions
 AB ____ (Judiciary): Eminent Domain: Precondemnation Activity
 ACR 24 (Chau): Resolution of Authority

SB 315 (Roth): RTODD follow-up
 SB 391 (Min) CID Teleconferencing

KEY _____

Italics: Future or speculative

“—”: Not applicable