

## First Supplement to Memorandum 2023-14

**2023 Legislative Program (Status Report)**

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This supplement provides further information about the Commission's 2023 Legislative Program.<sup>1</sup>

**Stock Cooperatives and Revocable Transfer on Death Deeds**

Assembly Bill 288 (Maienschein) would implement the Commission's recommendation on *Stock Cooperatives and Revocable Transfer on Death Deeds* (Feb. 2022).

The California Land Title Association ("CLTA") suggested revising proposed Probate Code Section 5660 as follows:

(b) A claim that a revocable transfer on death deed is inoperative pursuant to this section ~~is grounds for~~ shall be brought as a contest under Chapter 5 (commencing with Section 5690).

CLTA was concerned that the current language in the bill could be read as permissive, *allowing* a conflicting interest claim to be brought under the existing law that governs "contests," rather than *requiring* that treatment. The staff will explain the suggestion more fully at the March 16, 2023 meeting.

**The staff sees no problem with that proposed amendment and agrees that it would make the intended meaning of the provision clearer.** The amendment will likely be made when the bill is heard by the Assembly Committee on Judiciary, on March 21, 2023. **If so, the Commission should consider whether to make a conforming change to its recommendation (which has not yet been put into final form).**

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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.

## **Trial Court Restructuring**

Legislation to implement the following recommendations has been introduced as Assembly Bill 1757 (Committee on Judiciary):

- (1) *Statutes Made Obsolete by Trial Court Restructuring: Part 8* (Jan. 2022).
- (2) *Statutes Made Obsolete by Trial Court Restructuring (Part 9): Jurisdictional Classification of a Drug Asset Forfeiture Proceeding* (Aug. 2022).

Respectfully submitted,

Brian Hebert  
Executive Director