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APPROVED MINUTES OF MEETING
CALIFORNIA LAW REVISION COMMISSION
December 17, 2020

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

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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.