

CALIFORNIA LAW REVISION COMMISSION

Revised TENTATIVE RECOMMENDATION

Trial Court Unification: Publication of Legal Notice

June 2015

The purpose of this tentative recommendation is to solicit public comment on the Commission's tentative conclusions. A comment submitted to the Commission will be part of the public record. The Commission will consider the comment at a public meeting when the Commission determines what, if any, recommendation it will make to the Legislature. It is just as important to advise the Commission that you approve the tentative recommendation as it is to advise the Commission that you believe revisions should be made to it.

COMMENTS ON THIS TENTATIVE RECOMMENDATION SHOULD BE RECEIVED BY THE COMMISSION NOT LATER THAN **September 1, 2015.**

The Commission will often substantially revise a proposal in response to comment it receives. Thus, this tentative recommendation is not necessarily the recommendation the Commission will submit to the Legislature.

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SUMMARY OF TENTATIVE RECOMMENDATION

Some statutes call for publication of a legally required notice (such as a notice of a foreclosure sale) in a newspaper that is circulated within a particular judicial district. The purpose of such a requirement is to target notice to the local community. This recommendation proposes modifications to clarify the location of these districts.

Originally, judicial districts were established for the business and elections of the courts of limited jurisdiction. However, the Legislature later made use of these districts in notice publication statutes as a means of targeting such notices locally.

Over time, courts consolidated and the corresponding judicial districts became larger. In 1967, the Legislature enacted Government Code Section 71042.5 to, upon consolidation, retain the former judicial districts for notice publication purposes. In the absence of this provision, notice publication would have been less localized as judicial districts consolidated and became larger.

The trend of court consolidation culminated with trial court unification, in which the remaining trial courts unified into a countywide superior court. Trial court unification eliminated the trial courts of limited jurisdiction and thus eliminated the function of their judicial districts in court administration and elections.

When the courts unified, the Law Revision Commission recommended continuing to use the former judicial districts for notice publication. The Commission viewed that as a temporary solution. Accordingly, the Legislature directed the Commission to revisit the matter when appropriate.

Enough time has now elapsed for courts, newspapers, and others to gain experience with the functioning of the notice publication statutes post-unification. The Commission thus studied the situation to assess the need for change. It found that the existing requirements are cumbersome and confusing. In particular, accessing relevant district descriptions and boundary information is quite difficult.

This tentative recommendation addresses that problem. Consistent with the scope of the Commission's authority, the proposed legislation would revise the statutes to ensure that they continue to operate effectively, while preserving existing expectations and legislative policy choices.

Specifically, the revisions contained in this recommendation would:

- (1) Redesignate the districts used for publishing legal notice as "public notice districts."
- (2) Codify simplified "public notice district" descriptions, which are based on the areas comprising the former judicial districts.
- (3) Authorize a newspaper certified to publish notice in a particular judicial district to publish notice in the successor public notice district.

This tentative recommendation was prepared pursuant to Government Code Section 70219.

TRIAL COURT UNIFICATION:
PUBLICATION OF LEGAL NOTICE

1 In 1997, given the significant statutory changes required to accommodate trial
2 court unification, the Legislature requested that the Commission make
3 recommendations “pertaining to statutory changes that may be necessitated by
4 court unification.”¹ The Commission did so through its 1998 recommendation on
5 *Trial Court Unification: Revision of Codes*.²

6 When the Commission prepared that recommendation, it addressed the many
7 references to a “judicial district” in the codes.³ Generally, the Commission
8 concluded that a statutory reference to a “judicial district” should be treated as a
9 reference to the county after the courts unified. However, this rule was subject to
10 exceptions. One exception related to the use of judicial districts to define the
11 boundaries for publishing a legally required notice, such as a notice of a
12 foreclosure sale or a sale of stored property.⁴ The Commission recommended, and
13 the Legislature enacted, a provision that continued the status quo, retaining former
14 judicial district boundaries for that purpose.⁵ However, the Commission
15 recognized that this provision would need to be revisited and identified the matter
16 as appropriate for future study.⁶ The Legislature assigned that issue to the
17 Commission, along with several other projects identified in the Commission’s
18 recommendation.⁷

19 Since then, the Commission has completed work on all of the other projects.⁸
20 This recommendation addresses the final, outstanding issue identified for future

1. 1997 Cal. Stat. res. ch. 102; see also 1998 Cal. Stat. res. ch. 91.

2. 28 Cal. L. Revision Comm’n Reports 51 (1998) (hereafter, “*Revision of Codes*”).

3. “Statutes refer to ‘judicial districts’ for various purposes. The references generally intend the ‘municipal court district’ in a county. On unification of the municipal and superior courts in a county, the former municipal court districts have little relevance for most purposes.” *Id.* at 70 (footnote omitted).

4. *Id.* at 70, 72; see also Bus. & Prof. Code § 21707, Civ. Code § 2924f.

5. See Gov’t Code § 71042.5 (retaining former municipal court districts for publication purposes if municipal and superior courts unify), see also *Revision of Codes*, *supra* note 2, at 72, 349.

6. *Revision of Codes*, *supra* note 2, at 86, n. 131.

7. Gov’t Code § 70219; see also 1998 Cal. Stat. ch. 931, § 257 (former Gov’t Code § 70219).

8. See *Trial Court Unification: Issues Identified for Future Study*, 30 Cal. L. Revision Comm’n Reports 507 (2000); see also *Authority to Appoint Receivers*, 30 Cal. L. Revision Comm’n Reports 291 (2000); 2001 Cal. Stat. ch. 44 (SB 562 (Morrow)) (implementing Commission recommendation on authority to appoint receivers); *Cases in Which Court Reporter Is Required*, 31 Cal. L. Revision Comm’n Reports 223 (2001); 2002 Cal. Stat. ch. 71 (SB 1371 (Morrow)) (implementing Commission recommendation on cases in which court reporter is required); *Stay of Mechanic’s Lien Enforcement Pending Arbitration*, 30 Cal. L. Revision Comm’n Reports 307 (2000); 2003 Cal. Stat. ch. 22 (SB 113 (Ackerman)) (implementing Commission recommendation on stay of mechanic’s lien enforcement pending arbitration); *Obsolete Reporting Requirements*, 33 Cal. L. Revision Comm’n Reports 267 (2003); 2004 Cal.

1 work by the Commission in its 1998 recommendation: “[p]ublication of legal
2 notice in a county with a unified superior court.”⁹

3 The Commission has conducted extensive research on that matter and solicited
4 input from key stakeholders. From that work, it is clear that the statutes requiring
5 publication of notice in judicial districts are posing practical challenges. In
6 particular, it has become quite difficult for affected persons to ascertain the
7 relevant district boundaries.

8 The proposed legislation contained in this recommendation is intended to
9 address those challenges. Specifically, the proposal is intended to ensure that the
10 notice publication requirements are clear and the districts used for notice
11 publication are easily determinable, without disrupting the current legislative
12 policy requiring publication of notice locally. The proposed legislation would also
13 preserve existing rights of a newspaper of general circulation that is eligible to
14 publish notice in a judicial district. The proposal would thus conform to existing
15 expectations and legislative policy choices, while making the law more workable
16 and readily understandable.

17 **Scope of the Commission’s Study**

18 In studying this issue, the Commission was mindful of the narrow scope of its
19 original task, addressing statutory changes necessitated by trial court unification.
20 Throughout its work on that topic, the Commission took great care to preserve
21 existing statutory rights and procedures, while making the statutes workable in a
22 unified court system.¹⁰

23 The Commission took a similarly restrained approach in studying the issue of
24 judicial district notice publication, purposefully avoiding broader questions of
25 policy related to legal notice. Specifically, the Commission did not address
26 questions regarding the best medium for providing notice, the appropriate timing
27 of notice, the required content for notice, or the remedies for inadequate notice.

28 The Commission recognizes that legal notice policy questions have been the
29 subject of legislative attention in recent years.¹¹ In this study, the Commission
30 takes no position on those policy questions.

31 Rather, the Commission focused solely on determining what, if any, changes to
32 the existing requirements for notice publication in a judicial district are necessary
33 to ensure that the statutes continue to achieve the publication of the relevant
34 notices locally, with minimal disruption of existing rights and expectations.

Stat. ch. 193 (SB 111 (Knight)) (implementing Commission recommendation on obsolete reporting requirements).

9. *Revision of Codes*, *supra* note 2, at 86.

10. *Revision of Codes*, *supra* note 2, at 60.

11. See, e.g., AB 642 (Rendon), as introduced February 20, 2013; SB 617 (Evans), as amended May 28, 2013; SB 1199 (Hancock), as introduced February 20, 2014.

1 **Background on Judicial Districts**

2 Historically, California had several different kinds of trial courts with limited
3 jurisdiction, as well as countywide superior courts with unlimited jurisdiction. In
4 the 1950s, in an effort to standardize the trial court system, California voters
5 approved a constitutional amendment reducing the types of limited jurisdiction
6 trial courts to just two: justice courts and municipal courts.¹²

7 Counties often had multiple municipal and/or justice courts. In such cases, the
8 county was divided up into multiple judicial districts, each of which corresponded
9 with a municipal or justice court. In general, a county’s Board of Supervisors was
10 responsible for establishing and adjusting the boundaries of the judicial districts.¹³

11 Initially, the counties created 400 judicial districts statewide.¹⁴ By the late 1960s,
12 there were roughly 325 judicial districts statewide.¹⁵ Over time, there was a clear
13 trend of consolidating courts and reducing the number of judicial districts. The
14 trend of court consolidation continued with the statewide elimination of the justice
15 courts,¹⁶ and culminated with trial court unification in the late 1990s. By that time,
16 the number of judicial districts had decreased to just over 100.¹⁷

17 In 1998, the voters approved a measure authorizing, under specified conditions
18 unification of the remaining trial courts in each county to form a single,
19 countywide superior court.¹⁸ By early 2001, the trial courts in every county had
20 unified.¹⁹ Upon the vote to unify, the trial courts in a county combined their
21 operations in a unified, countywide superior court.²⁰

12. See generally Judicial Council of California, Fourteenth Biennial Report to the Governor and the Legislature 13-28 (Jan. 31, 1953).

13. See California Courts and Judges 32 (James Publishing, 1998 ed.); see also 1953 Cal. Stat. ch. 1130, § 1 (former Gov’t Code § 71040); 1967 Cal. Stat. ch. 1226, § 1 (former Gov’t Code § 71042).

14. See Judicial Council Fourteenth Biennial Report, *supra* note 12, at 16.

15. See Judicial Council of California, Annual Report of the Administrative Office of the California Courts 195-198, 246-255 (Jan. 6, 1969).

16. 1994 Cal. Stat. res. ch. 113 (SCA 7) (Prop. 191, approved Nov. 8, 1994).

17. See Judicial Council of California, Administrative Office of the Courts, 1997 Judicial Council Report on Court Statistics 73-77.

18. Proposition 220, authorizing “unification of the municipal and superior courts in a county on a vote of a majority of the municipal court judges and a majority of the superior court judges in that county,” was approved by California voters at the June 2, 1998 statewide election, and became operative the day after the election. See 1996 Cal. Stat. res. ch. 36; *Revision of Codes*, *supra* note 2, at 59 (citing Cal. Const. XVIII, § 4).

19. Judicial Council of California, *Trial Court Unification Factsheet* (February 2005) (available at <http://www.courts.ca.gov/documents/tcunif.pdf>) (“By January 2001, all 58 California counties had voted to unify their municipal and superior court operations.”).

20. See former Cal. Const. art. VI, § 5(e) (1996 Cal. Stat. res. ch. 36), approved by the voters June 2, 1998 (Proposition 220).

1 Trial court unification eliminated all of the trial courts of limited jurisdiction and
2 thus eliminated the function of their judicial districts in court administration and
3 elections. Upon unification, the former judicial districts had “little relevance for
4 most purposes.”²¹ Notice publication is a notable exception to that rule.

5 **Use of Judicial Districts for Notice Publication**

6 Several California statutes have relied and continue to rely on judicial districts
7 as defining the location for the publication of legal notice.²² These include, for
8 example, the statute governing notice of a home foreclosure sale made under a
9 power of sale,²³ and the statute governing notice of a sale of stored goods
10 conducted by a self-storage facility when a customer fails to pay rent.²⁴

11 In 1967, the Legislature enacted Government Code Section 71042.5, presumably
12 in response to the trend of court consolidation.²⁵ This section sought to preserve
13 the judicial districts for purposes of notice publication. It provided that upon
14 consolidation of two or more judicial districts, the prior component districts would
15 remain separate judicial districts for the purpose of notice publication.²⁶

16 This rule applied prospectively, to future consolidations of judicial districts.²⁷ If
17 it had not been enacted, such consolidations could have resulted in notice being
18 provided less locally, because the territory of the resulting, consolidated judicial

21. *Revision of Codes, supra* note 2, at 70.

22. Bus. & Prof. Code § 21707; Civ. Code §§ 2924f, 3440.1, 3440.5; Code Civ. Proc. §§ 701.540, 1208.5; Com. Code § 6105; Rev. & Tax. Code §§ 3381, 3702. Cf. Code Civ. Proc. § 38 (“judicial district” defined, subject to contrary statute). At the time of trial court unification, Commercial Code Section 7210(b)(5) required publication of notice in a judicial district, but has since been amended to remove the judicial district reference. See 2006 Cal. Stat. ch. 254, §§ 48, 49.

23. Civ. Code § 2924f.

24. Bus. & Prof. Code § 21707.

25. “In the period since June 30, 1958 there has been a net decrease of 54 judicial districts, reflecting a decline of 66 justice court districts which was partly offset by an increase of 12 municipal court districts.

...

The trend towards fewer justice courts principally reflects two factors: (1) population growth which results in the creation of municipal courts as district populations increase to levels exceeding the 40,000 constitutional limit for justice courts; and (2) local redistricting resulting in the consolidation of separate justice court districts into either municipal court districts or larger justice court districts.” Judicial Council of California, Annual Report of the Administrative Office of the California Courts 58-59 (January 8, 1968).

26. As originally enacted, Section 71042.5 read as follows:

71042.5. Notwithstanding any other provision of law, upon consolidation of judicial districts, the territory embraced within the respective prior component judicial districts shall be separate judicial districts for the purpose of publication within a judicial district.

1967 Cal. Stat. ch. 1066, § 1.

27. See 1967 Cal. Stat. ch. 1066, § 2 (As enacted in that legislation, Government Code Section 71042.6 provided in part “[s]uch map and boundaries shall be applicable to any consolidation which becomes effective on or after the effective date of this section.”).

1 district would have encompassed the territories of all of the prior component
2 judicial districts.

3 When the concept of trial court unification was gaining momentum, the
4 Legislature tasked the Law Revision Commission with revising California’s laws
5 to accommodate that reform. As part of that effort, the Commission recommended,
6 and the Legislature enacted, an amendment to Government Code Section 71042.5
7 to continue the status quo. The amendment preserved the former judicial districts
8 for notice publication purposes after the courts in a county unified, not just when
9 districts were consolidated.²⁸

10 The Commission recognized, however, that retaining the former judicial districts
11 to serve as the location for the publication of legal notice “may be unsatisfactory
12 in the long-term”²⁹ The Legislature assigned the issue of “[p]ublication of legal
13 notice in a county with a unified superior court” for future work by the
14 Commission, as the Commission itself proposed.³⁰

15 **The Commission’s Current Study**

16 Over a decade has passed since all counties in California unified their trial
17 courts.³¹ Sufficient time has thus elapsed for newspapers, courts, and other
18 affected persons to gain experience with notice publication in the post-unification
19 environment.

20 Accordingly, the Commission commenced a study reexamining the statutes that
21 rely on former judicial districts to define boundaries for publishing legally
22 required notices. More specifically, the Commission has been assessing whether
23 those statutes need any revisions to accomplish their underlying objectives.

24 **Function of Judicial District References in Notice Publication Statutes**

25 As an initial matter, the Commission considered the function of the references to
26 judicial districts in the notice publication statutes prior to trial court unification.

27 At that time, judicial districts provided a set of geographical boundaries that
28 circumscribed areas for the publication of legal notice. Based on the constitutional
29 requirements for judicial districts, the geographical area of a judicial district

28. Section 71042.5 currently reads:

71042.5. Notwithstanding any other provision of law, where judicial districts in a county have been consolidated, or where the municipal and superior courts in a county have unified, the territory embraced within the respective prior component judicial districts shall be separate judicial districts for the purpose of publication within a judicial district.

2002 Cal. Stat. ch. 784, § 344; see also 1998 Cal. Stat. ch. 931, § 263.

29. *Revision of Codes*, *supra* note 2, at 86, n. 131.

30. *Id.* at 86, Gov’t Code § 70219; see also 1998 Cal. Stat. ch. 931, § 257 (former Gov’t Code § 70219).

31. Judicial Council Trial Court Unification Factsheet, *supra* note 19.

1 necessarily was contained within a single county.³² In general, each city was fully
2 contained within a single judicial district.³³

3 Thus, the requirements for the publication of legal notice within a judicial
4 district offered a means to target a notice to a less-than-countywide, local
5 population. In proposing this tentative recommendation, the Commission sought to
6 respect that legislative preference for targeting the publication of notice to a local
7 community.

8 **Challenges Posed by Notice Publication Requirements**

9 Based on the information the Commission has obtained thus far, the statutes
10 requiring the publication of notice in judicial districts appear to be posing practical
11 challenges. Those practical challenges are discussed below.

12 ***Confusing Terminology***

13 The term “judicial district” is itself a potential source of confusion, particularly
14 after trial court unification. In the absence of judicial districts actively maintained
15 for municipal or justice court purposes, a person required to publish notice in a
16 judicial district must first determine what the judicial district reference means.
17 Currently, it is not apparent that a reference to a “judicial district” in a statute
18 requiring publication of legal notice is meant to refer to a *former* judicial district,
19 as per Government Code Section 71042.5. Consequently, it may be difficult for a
20 person to correctly publish legal notice in accordance with the statutory
21 requirements.

22 For instance, a person required to publish notice in a judicial district could easily
23 overlook Government Code Section 71042.5, which preserves the former judicial
24 districts for purposes of publication. Such a person could mistakenly conclude
25 that, under Code of Civil Procedure Section 38, the reference to “judicial district”
26 means “the county.”³⁴ Thus, in this situation, a person might erroneously publish
27 notice in a county newspaper, as opposed to a newspaper in the former judicial
28 district.

29 Given the possibility of confusion regarding the term “judicial district,” a
30 statutory requirement that legal notice be published in a judicial district may not
31 give sufficient guidance to persons who must comply with this obligation.

32. Former Cal. Const. art. VI, § 5(a) (as amended June 8, 1976). (“Each county shall be divided into municipal court and justice court districts as provided by statute...”).

33. *Id.* (“...[A] city may not be divided into more than one district.”); but see *id.* § 5(b) (“Notwithstanding the provisions of subdivision (a), any city in San Diego County may be divided into more than one municipal court or justice court district if the Legislature determines that unusual geographic conditions warrant such division.”).

34. Subdivision (d) of Code of Civil Procedure Section 38 provides that, “[a]s it relates to a county in which there is no municipal court,” judicial district means “the county.”

1 ***Difficulty of Ascertaining Notice Boundaries***

2 Under Government Code Section 71042.5, a “judicial district” reference in a
3 statute governing publication of legal notice means either (1) a judicial district that
4 existed prior to pre-unification consolidation of two or more judicial districts, or
5 (2) a judicial district that existed prior to trial court unification. Because trial court
6 unification was completed in early 2001, the relevant judicial district boundaries
7 have been frozen for at least thirteen years. If the judicial districts were
8 consolidated prior to unification, the relevant boundaries may be much older.

9 For notice publication to comport with Section 71042.5, the historic district
10 boundaries must be retained and made available to the public. The Legislature
11 enacted a companion provision, Government Code Section 71042.6, that appears
12 tailored to address this issue. Section 71042.6 requires each county recorder to
13 maintain a map showing the boundaries of former judicial districts “[f]or the
14 purpose of establishing boundaries under Section 71042.5.” Unfortunately, such
15 maps do not appear to be readily available to the public at this point.

16 In preparing this tentative recommendation, the Commission received
17 stakeholder input suggesting that determining the relevant boundaries for judicial
18 district notice publication poses practical difficulties.³⁵ For instance, one
19 stakeholder sought judicial district maps from several counties and found that
20 those maps were often difficult to access. In at least one case, no map was
21 available.³⁶ In addition, when a map was available, it was generally difficult to
22 read, impeding the ability to ascertain the exact boundaries.³⁷

23 The Commission directed its staff to seek maps from a sample of county
24 recorders. The Commission staff similarly found that the maps were difficult to
25 access and, when available, did not appear to include all of the relevant districts.³⁸

26 These practical difficulties in ascertaining judicial district boundaries place a
27 significant burden on parties required to publish notice in a judicial district.

28 ***Potentially Serious Consequences of Publishing Notice in the Wrong Location***

29 If notice is mistakenly published in the wrong location, the underlying action
30 could be challenged by an interested party. Resolving a challenge to the adequacy
31 of notice could require litigation and considerable public and private expense.

32 **Changes Tentatively Recommended by the Commission**

33 In light of the difficulties in ascertaining the boundaries used for notice
34 publication and the potentially serious consequences of an error, the Commission

35. See Commission Staff Memorandum 2014-15 (March 28, 2014), p. 10, Exhibit pp. 1-3.

36. *Id.* at Exhibit pp. 1, 3.

37. *Id.* at Exhibit p. 1.

38. See First Supplement to Commission Staff Memorandum 2014-56 (Jan. 29, 2015), pp. 1, 3.

1 tentatively recommends a number of statutory revisions. Generally, the
2 Commission recommends preserving the status quo for notice publication
3 requirements, but making changes to ensure that the requirements are clear and
4 understandable. The proposed approach is described in further detail below.

5 While the proposed legislation may appear lengthy, the structure of the
6 legislation is designed to allow the public to quickly and easily determine the
7 appropriate district in which to publish a notice. This would be a significant
8 improvement over the current system, in which the public does not have ready
9 access to the district information.

10 ***Redesignate the Districts Used for Notice Publication as “Public Notice Districts”***

11 Since Government Code Section 71042.5 took effect, the set of judicial districts
12 used for notice publication became increasingly dissociated from the set of judicial
13 districts used for court administration and business as courts consolidated.

14 Using the same term – “judicial district” – in the codes to refer to both the
15 districts preserved by operation of Government Code Section 71042.5 and the
16 districts formerly used for court administration and business is confusing.

17 Therefore, the Commission recommends redesignating the districts used for
18 notice publication as “public notice districts.”

19 ***Codify Simplified Descriptions of the Public Notice Districts***

20 The Commission’s work revealed that the boundaries of the former judicial
21 districts are difficult to determine. Often, information about the boundaries is not
22 readily accessible and can be unclear or otherwise hard to understand.

23 In order to improve accessibility and usability of the boundary information, the
24 Commission recommends codifying the district descriptions. This would make it
25 possible to cross-refer to the district descriptions in the code sections that require
26 notice publication in a judicial district. Codification of the district descriptions
27 would thus facilitate public access to those descriptions.

28 Many of the historic district descriptions are lengthy and rely on descriptors that
29 are not readily known or available.³⁹ To address this problem, the Commission
30 recommends describing the districts in a simplified manner, by referring to the
31 population centers (cities and census designated places⁴⁰) in each district.

39. Commission Staff Memorandum 2014-56, p. 13 (Nov. 24, 2014). Among the problematic features are township and range designations, references to prior component districts, and boundaries shown on particular maps held by the county recorder.

40. A census designated place or “CDP” is “the statistical counterpart[] of [an] incorporated place[], and [is] delineated to provide data for settled concentrations of population that are identifiable by name but are not legally incorporated under the laws of the state in which they are located.” See https://www.census.gov/geo/reference/gtc/gtc_place.html.

For Los Angeles County, the situation was more complicated. To alleviate potential confusion, it was necessary to use some neighborhood names and islands in describing the districts, as well as cities and

1 Under this approach, each public notice district is based on a former judicial
2 district.⁴¹ Each public notice district description consists of one or more population
3 centers, depending on the composition of the relevant historical judicial district.⁴²
4 For the most part, the historical judicial district names would continue to apply to
5 the successor public notice districts.⁴³

6 Not every location in the state would be included in a public notice district.
7 Thus, a notice requirement might sometimes be triggered for a location outside
8 such a district (such as when a home in a rural area is subject to a foreclosure
9 sale). The proposed legislation would establish a rule⁴⁴ to cover these situations:

- 10 • If the location in question is within a specified number of miles from a
11 district, the notice must be published in the nearest district.
- 12 • If the location in question is beyond the specified mileage range, notice shall
13 be given as if the location is in a district without a newspaper of general
14 circulation.⁴⁵

15 Using population centers as district descriptors allows the districts to be
16 described concisely, in a manner that will be easily understood by the public. It
17 will largely achieve the same result as the existing lengthy, complicated, and
18 difficult-to-access descriptions.

19 ***Safe Harbor***

20 Although the Commission crafted the public notice district descriptions so as to
21 provide clear direction and minimize confusion, the Commission recognized that
22 the possibility of a reasonable, good faith mistake still remains. Therefore, the
23 proposed legislation includes a safe harbor provision.⁴⁶ This provision provides
24 that if a person makes a reasonable, good faith error in determining the proper

CDPs. For further explanation of the treatment of Los Angeles County, see Commission Staff Memorandum 2015-11, pp. 8-9 (April 2, 2015).

41. The historical judicial districts used were those existing on the effective date of Section 71042.5. While this does not perfectly conform to the districts preserved by operation of Section 71042.5, using the set of districts existing on the effective date greatly simplifies the research task while still largely preserving the effect of Section 71042.5. See Commission Staff Memorandum 2015-11, *supra* note 40, at 4-5.

42. For further detail on the methodology that the Commission used in drafting district descriptions, see *id.* at 4-9.

43. In some instances, the Commission deviated from this naming convention where there was a judicial district name change or the historical name might be confusing in the new framework. See *id.* at 5.

44. See, e.g., proposed Gov't Code §§ 6085.100(b), 6085.130(b), 6085.140(b) *infra*.

45. For further detail on this rule for locations outside of the districts (the “plus rule”), see Commission Staff Memorandum 2015-11, *supra* note 40, at 9.

46. See proposed Gov't Code § 6081 *infra*.

1 district for publication of a notice, the error shall not be grounds for invalidating
2 the notice.

3 ***Grandfather Clause to Preserve Existing Rights of Newspapers***

4 One aspect of preserving the status quo is avoiding disruption of the existing
5 rights of newspapers.

6 In order to publish a legally required notice in a judicial district, a newspaper
7 must have a judicial decree establishing it as a newspaper of general circulation in
8 the relevant district.⁴⁷

9 Rather than requiring each newspaper to seek a new court decree to continue
10 publishing notices in the proposed public notice district that succeeds the
11 newspaper's current judicial district, the Commission recommends preserving a
12 newspaper's existing rights by expressly "grandfathering" them into the new
13 framework. Thus, an existing judicial decree for a newspaper in a former judicial
14 district would be treated as a "decree establishing the newspaper as a newspaper of
15 general circulation in the successor public notice district."⁴⁸

16 **Request for Comment**

17 The Commission seeks public comment on all of the proposed statutory changes
18 included in this tentative recommendation. Input from knowledgeable persons is
19 critical in the Commission's study process, and may cause the Commission to
20 substantially revise its proposal. Comments supporting the proposed approach are
21 just as important as comments suggesting changes to that approach or expressing
22 other views. The Commission would especially appreciate comments on any issue
23 it has flagged for attention through the use of a Note in the proposed legislation.

47. See Gov't Code § 6040 ("Whenever any official advertising, notice, resolution, order, or other matter of any nature whatsoever is required by law to be published in a newspaper, such publication shall be made only in a newspaper of general circulation.").

48. See proposed Gov't Code § 6082 *infra*.

PROPOSED LEGISLATION

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PROPOSED LEGISLATION

GOVERNMENT CODE

1
2 **Gov't Code §§ 6080-6085.670 (added). Publication of notice in public notice districts**

3 SEC. ____ Chapter 1.1 (commencing with Section 6080) is added to Division 7
4 of Title 1 of the Government Code to read:

5 CHAPTER 1.1. PUBLICATION OF NOTICE IN PUBLIC NOTICE DISTRICT

6 **Comment.** Chapter 1.1 is new. This chapter establishes public notice districts as a place for the
7 publication of notice. Public notice districts replace the former judicial districts preserved for
8 publication by former Government Code Section 71042.5.

9 Article 1. Public Notice Districts, Generally

10 § 6080. Application of chapter

11 6080. This chapter governs any statute requiring publication of notice in a public
12 notice district.

13 **Comment.** Section 6080 is new. This section establishes the application of this chapter.

14 § 6081. Safe harbor for notice error

15 6081. A notice published or posted in a manner that is contrary to the provisions
16 of this chapter shall not be invalidated as a consequence of a reasonable, good
17 faith error as to the applicable public notice district.

18 **Comment.** Section 6081 is new. This section provides a safe harbor for a person who makes a
19 reasonable, good faith error in identifying the applicable public notice district under this chapter.

20 § 6082. Status of newspaper of general circulation in judicial district

21 6082. (a) Notwithstanding Section 6027, a judicial decree establishing a
22 newspaper as a newspaper of general circulation in a former judicial district shall
23 be treated as a judicial decree establishing the newspaper as a newspaper of
24 general circulation in the successor public notice district.

25 (b) For the purposes of this section, the “successor public notice district” is the
26 public notice district, described in Article 2, that contains substantially the same
27 population centers as the applicable, former judicial district preserved for notice
28 publication by former Section 71042.5.

29 **Comment.** Section 6082 is new. It makes clear that a newspaper that was adjudicated to be a
30 newspaper of general circulation in a former judicial district is not required to seek a new judicial
31 decree solely because the former judicial district has been replaced with a public notice district.

Article 2. Public Notice Districts by County

§ 6085.100. Alameda County

6085.100. (a) Alameda County contains the following public notice districts:

(1) Alameda District, which is comprised of the city of Alameda.

(2) Berkeley-Albany District, which is comprised of the cities of Albany and Berkeley.

(3) Fremont-Newark-Union City District, which is comprised of the cities of Fremont, Newark, and Union City.

(4) Livermore District, which is comprised of the city of Livermore.

(5) Oakland-Piedmont District, which is comprised of the cities of Emeryville, Oakland, and Piedmont.

(6) Pleasanton District, which is comprised of the cities of Dublin and Pleasanton.

(7) San Leandro-Hayward District, which is comprised of the cities of Hayward and San Leandro and the unincorporated areas known as Ashland, Castro Valley, Cherryland, Fairview, and San Lorenzo.

(b) For the purpose of publishing notice arising from a location within Alameda County that is not within one of the districts described in subdivision (a):

(1) If the location is within five miles of a district, notice shall be published in the nearest district.

(2) If the location is not within five miles of a district, notice shall be given as if the location is in a public notice district without a newspaper of general circulation.

Comment. Section 6085.100 is new. This section establishes public notice districts for Alameda County. These districts are the successors to the former judicial districts that were preserved for notice publication in accordance with former Government Code Section 71042.5.

§ 6085.110. Alpine County

6085.110. Alpine County contains a single, countywide public notice district.

Comment. Section 6085.110 is new. This section establishes a public notice district for Alpine County. This district is the successor to the former countywide judicial district that was preserved for notice publication in accordance with former Government Code Section 71042.5.

§ 6085.120. Amador County

6085.120. Amador County contains a single, countywide public notice district.

Comment. Section 6085.120 is new. This section establishes a public notice district for Amador County. This district is the successor to the former countywide judicial district that was preserved for notice publication in accordance with former Government Code Section 71042.5.

§ 6085.130. Butte County

6085.130. (a) Butte County contains the following public notice districts:

(1) Biggs District, which is comprised of the city of Biggs.

(2) Chico District, which is comprised of the city of Chico.

- 1 (3) Gridley District, which is comprised of the city of Gridley.
- 2 (4) Oroville District, which is comprised of the city of Oroville.
- 3 (5) Paradise District, which is comprised of the city of Paradise and the
- 4 unincorporated area known as Magalia.

5 (b) For the purpose of publishing notice arising from a location within Butte
6 County that is not within one of the districts described in subdivision (a):

7 (1) If the location is within ten miles of a district, notice shall be published in the
8 nearest district.

9 (2) If the location is not within ten miles of a district, notice shall be given as if
10 the location is in a public notice district without a newspaper of general
11 circulation.

12 **Comment.** Section 6085.130 is new. This section establishes public notice districts for Butte
13 County. These districts are the successors to the former judicial districts that were preserved for
14 notice publication in accordance with former Government Code Section 71042.5. Not every
15 former judicial district is continued.

16 **§ 6085.140. Calaveras County**

17 6085.140. (a) Calaveras County contains the following public notice districts:

18 (1) Angels-Murphys District, which is comprised of the city of Angels Camp
19 and the unincorporated area known as Murphys.

20 (2) San Andreas District, which is comprised of the unincorporated areas known
21 as Rancho Calaveras, San Andreas, and Valley Springs.

22 (b) For the purpose of publishing notice arising from a location within Calaveras
23 County that is not within one of the districts described in subdivision (a):

24 (1) If the location is within ten miles of a district, notice shall be published in the
25 nearest district.

26 (2) If the location is not within ten miles of a district, notice shall be given as if
27 the location is in a public notice district without a newspaper of general
28 circulation.

29 **Comment.** Section 6085.140 is new. This section establishes public notice districts for
30 Calaveras County. These districts are the successors to the former judicial districts that were
31 preserved for notice publication in accordance with former Government Code Section 71042.5.
32 Not every former judicial district is continued.

33 **§ 6085.150. Colusa County**

34 6085.150. (a) Colusa County contains the following public notice districts:

35 (1) Colusa District, which is comprised of the city of Colusa.

36 (2) Williams District, which is comprised of the city of Williams.

37 (b) For the purpose of publishing notice arising from a location within Colusa
38 County that is not within one of the districts described in subdivision (a):

39 (1) If the location is within ten miles of a district, notice shall be published in the
40 nearest district.

1 (2) If the location is not within ten miles of a district, notice shall be given as if
2 the location is in a public notice district without a newspaper of general
3 circulation.

4 **Comment.** Section 6085.150 is new. This section establishes public notice districts for Colusa
5 County. These districts are the successors to the former judicial districts that were preserved for
6 notice publication in accordance with former Government Code Section 71042.5.

7 **§ 6085.160. Contra Costa County**

8 6085.160. (a) Contra Costa County contains the following public notice districts:

9 (1) Antioch District, which is comprised of the city of Antioch.

10 (2) Brentwood-Byron District, which is comprised of the city of Brentwood and
11 the unincorporated areas known as Byron and Discovery Bay.

12 (3) El Cerrito-Kensington District, which is comprised of the city of El Cerrito
13 and the unincorporated area known as Kensington.

14 (4) Mount Diablo District, which is comprised of the cities of Clayton, Concord,
15 Martinez, and Pleasant Hill.

16 (5) Oakley District, which is comprised of the city of Oakley and the
17 unincorporated area known as Knightsen.

18 (6) Pinole-Hercules-Rodeo District, which is comprised of the cities of Pinole
19 and Hercules and the unincorporated area known as Rodeo.

20 (7) Pittsburg District, which is comprised of the city of Pittsburg and the
21 unincorporated area known as Bay Point.

22 (8) Richmond District, which is comprised of the city of Richmond.

23 (9) San Pablo District, which is comprised of the city of San Pablo and the
24 unincorporated areas known as Bayview, East Richmond Heights, El Sobrante,
25 Montalvin Manor, North Richmond, Rollingwood, and Tara Hills.

26 (10) Walnut Creek-Danville District, which is comprised of the cities of
27 Danville, Lafayette, Moraga, Orinda, San Ramon, and Walnut Creek and the
28 unincorporated areas known as Alamo, Contra Costa Centre, and Reliez Valley.

29 (b) For the purpose of publishing notice arising from a location within Contra
30 Costa County that is not within one of the districts described in subdivision (a):

31 (1) If the location is within five miles of a district, notice shall be published in
32 the nearest district.

33 (2) If the location is not within five miles of a district, notice shall be given as if
34 the location is in a public notice district without a newspaper of general
35 circulation.

36 **Comment.** Section 6085.160 is new. This section establishes public notice districts for Contra
37 Costa County. These districts are the successors to the former judicial districts that were
38 preserved for notice publication in accordance with former Government Code Section 71042.5.
39 Not every former judicial district is continued.

40 **Note.** The public notice districts listed above for Contra Costa County are based on the
41 judicial districts existing on December 8, 1967. Although December 8, 1967 appears to have been
42 the effective date for Government Code Section 71042.5, the Commission found some
43 information suggesting that Section 71042.5 took effect a month earlier (November 8, 1967). In

1 Contra Costa County, there was a judicial district consolidation during that interval. The
2 Commission welcomes comment on the correct effective date for Section 71042.5.

3 **§ 6085.170. Del Norte County**

4 6085.170. (a) Del Norte County contains the following public notice district:

5 (1) Crescent District, which is comprised of Crescent City.

6 (b) For the purpose of publishing notice arising from a location within Del Norte
7 County that is not within the district described in subdivision (a):

8 (1) If the location is within ten miles of the district, notice shall be published in
9 the district.

10 (2) If the location is not within ten miles of the district, notice shall be given as
11 if the location is in a public notice district without a newspaper of general
12 circulation.

13 **Comment.** Section 6085.170 is new. This section establishes public notice districts for Del
14 Norte County. These districts are the successors to the former judicial districts that were
15 preserved for notice publication in accordance with former Government Code Section 71042.5.
16 Not every former judicial district is continued.

17 **§ 6085.180. El Dorado County**

18 6085.180. (a) El Dorado County contains the following public notice districts:

19 (1) El Dorado District, which is comprised of the unincorporated areas known as
20 Cameron Park, Diamond Springs, and El Dorado Hills.

21 (2) Lake Valley District, which is comprised of the city of South Lake Tahoe.

22 (3) Placerville District, which is comprised of the city of Placerville.

23 (b) For the purpose of publishing notice arising from a location within El
24 Dorado County that is not within one of the districts described in subdivision (a):

25 (1) If the location is within ten miles of a district, notice shall be published in the
26 nearest district.

27 (2) If the location is not within ten miles of a district, notice shall be given as if
28 the location is in a public notice district without a newspaper of general
29 circulation.

30 **Comment.** Section 6085.180 is new. This section establishes public notice districts for El
31 Dorado County. These districts are the successors to the former judicial districts that were
32 preserved for notice publication in accordance with former Government Code Section 71042.5.
33 Not every former judicial district is continued.

34 **§ 6085.190. Fresno County**

35 6085.190. (a) Fresno County contains the following public notice districts:

36 (1) Clovis District, which is comprised of the city of Clovis and the
37 unincorporated area known as Tarpey Village.

38 (2) Coalinga District, which is comprised of the cities of Coalinga and Huron.

39 (3) Firebaugh District, which is comprised of the cities of Firebaugh and
40 Mendota.

41 (4) Fowler District, which is comprised of the city of Fowler.

1 (5) Fresno District, which is comprised of the city of Fresno.

2 (6) Kerman District, which is comprised of the cities of Kerman and San
3 Joaquin.

4 (7) Kingsburg District, which is comprised of the city of Kingsburg.

5 (8) Parlier District, which is comprised of the city of Parlier and the
6 unincorporated area known as Del Rey.

7 (9) Reedley District, which is comprised of the cities of Orange Cove and
8 Reedley.

9 (10) Sanger District, which is comprised of the city of Sanger.

10 (11) Selma District, which is comprised of the city of Selma.

11 (b) For the purpose of publishing notice arising from a location within Fresno
12 County that is not within one of the districts described in subdivision (a):

13 (1) If the location is within ten miles of a district, notice shall be published in the
14 nearest district.

15 (2) If the location is not within ten miles of a district, notice shall be given as if
16 the location is in a public notice district without a newspaper of general
17 circulation.

18 **Comment.** Section 6085.190 is new. This section establishes public notice districts for Fresno
19 County. These districts are the successors to the former judicial districts that were preserved for
20 notice publication in accordance with former Government Code Section 71042.5. Not every
21 former judicial district is continued.

22 **§ 6085.200. Glenn County**

23 6085.200. (a) Glenn County contains the following public notice districts:

24 (1) Orland District, which is comprised of the city of Orland.

25 (2) Willows District, which is comprised of the city of Willows.

26 (b) For the purpose of publishing notice arising from a location within Glenn
27 County that is not within one of the districts described in subdivision (a):

28 (1) If the location is within ten miles of a district, notice shall be published in the
29 nearest district.

30 (2) If the location is not within ten miles of a district, notice shall be given as if
31 the location is in a public notice district without a newspaper of general
32 circulation.

33 **Comment.** Section 6085.200 is new. This section establishes public notice districts for Glenn
34 County. These districts are the successors to the former judicial districts that were preserved for
35 notice publication in accordance with former Government Code Section 71042.5.

36 **§ 6085.210. Humboldt County**

37 6085.210. (a) Humboldt County contains the following public notice districts:

38 (1) Arcata District, which is comprised of the cities of Arcata, Blue Lake, and
39 Trinidad and the unincorporated area known as McKinleyville.

40 (2) Eureka District, which is comprised of the city of Eureka.

41 (3) Fortuna District, which is comprised of the cities of Ferndale, Fortuna, and
42 Rio Dell.

1 (b) For the purpose of publishing notice arising from a location within Humboldt
2 County that is not within one of the districts described in subdivision (a):

3 (1) If the location is within ten miles of a district, notice shall be published in the
4 nearest district.

5 (2) If the location is not within ten miles of a district, notice shall be given as if
6 the location is in a public notice district without a newspaper of general
7 circulation.

8 **Comment.** Section 6085.210 is new. This section establishes public notice districts for
9 Humboldt County. These districts are the successors to the former judicial districts that were
10 preserved for notice publication in accordance with former Government Code Section 71042.5.
11 Not every former judicial district is continued.

12 **§ 6085.220. Imperial County**

13 6085.220. (a) Imperial County contains the following public notice districts:

14 (1) Brawley District, which is comprised of the city of Brawley.

15 (2) Calexico District, which is comprised of the city of Calexico.

16 (3) Calipatria District, which is comprised of the city of Calipatria.

17 (4) El Centro District, which is comprised of the city of El Centro.

18 (5) Holtville District, which is comprised of the city of Holtville.

19 (6) Imperial District, which is comprised of the city of Imperial.

20 (7) Westmoreland District, which is comprised of the city of Westmoreland.

21 (b) For the purpose of publishing notice arising from a location within Imperial
22 County that is not within one of the districts described in subdivision (a):

23 (1) If the location is within ten miles of a district, notice shall be published in the
24 nearest district.

25 (2) If the location is not within ten miles of a district, notice shall be given as if
26 the location is in a public notice district without a newspaper of general
27 circulation.

28 **Comment.** Section 6085.220 is new. This section establishes public notice districts for
29 Imperial County. These districts are the successors to the former judicial districts that were
30 preserved for notice publication in accordance with former Government Code Section 71042.5.
31 Not every former judicial district is continued.

32 **§ 6085.230. Inyo County**

33 6085.230. (a) Inyo County contains the following public notice district:

34 (1) Northern Inyo District, which is comprised of the city of Bishop.

35 (b) For the purpose of publishing notice arising from a location within Inyo
36 County that is not within the district described in subdivision (a):

37 (1) If the location is within ten miles of the district, notice shall be published in
38 the district.

39 (2) If the location is not within ten miles of the district, notice shall be given as
40 if the location is in a public notice district without a newspaper of general
41 circulation.

1 **Comment.** Section 6085.230 is new. This section establishes public notice districts for Inyo
2 County. These districts are the successors to the former judicial districts that were preserved for
3 notice publication in accordance with former Government Code Section 71042.5. Not every
4 former judicial district is continued.

5 **§ 6085.240. Kern County**

6 6085.240. (a) Kern County contains the following public notice districts:

7 (1) Arvin-Lamont District, which is comprised of the city of Arvin and the
8 unincorporated areas known as Lamont and Weedpatch.

9 (2) Bakersfield District, which is comprised of the city of Bakersfield and the
10 unincorporated areas known as Oildale and Rosedale.

11 (3) Delano-McFarland District, which is comprised of the cities of Delano and
12 McFarland.

13 (4) Indian Wells District, which is comprised of the city of Ridgecrest.

14 (5) Kern River-Rand District, which is comprised of the unincorporated areas
15 known as Bodfish, Kernville, Lake Isabella, Weldon, and Wofford Heights.

16 (6) Maricopa-Taft District, which is comprised of the cities of Maricopa and
17 Taft.

18 (7) Mojave District, which is comprised of California City and the
19 unincorporated areas known as Mojave and Rosamond.

20 (8) Shafter District, which is comprised of the city of Shafter.

21 (9) Tehachapi District, which is comprised of the city of Tehachapi and the
22 unincorporated area known as Bear Valley Springs.

23 (10) Wasco District, which is comprised of the city of Wasco.

24 (b) For the purpose of publishing notice arising from a location within Kern
25 County that is not within one of the districts described in subdivision (a):

26 (1) If the location is within ten miles of a district, notice shall be published in the
27 nearest district.

28 (2) If the location is not within ten miles of a district, notice shall be given as if
29 the location is in a public notice district without a newspaper of general
30 circulation.

31 **Comment.** Section 6085.240 is new. This section establishes public notice districts for Kern
32 County. These districts are the successors to the former judicial districts that were preserved for
33 notice publication in accordance with former Government Code Section 71042.5. Not every
34 former judicial district is continued.

35 **§ 6085.250. Kings County**

36 6085.250. (a) Kings County contains the following public notice districts:

37 (1) Avenal District, which is comprised of the city of Avenal.

38 (2) Corcoran District, which is comprised of the city of Corcoran.

39 (3) Hanford District, which is comprised of the city of Hanford.

40 (4) Lemoore District, which is comprised of the city of Lemoore.

41 (b) For the purpose of publishing notice arising from a location within Kings
42 County that is not within one of the districts described in subdivision (a):

1 (1) If the location is within ten miles of a district, notice shall be published in the
2 nearest district.

3 (2) If the location is not within ten miles of a district, notice shall be given as if
4 the location is in a public notice district without a newspaper of general
5 circulation.

6 **Comment.** Section 6085.250 is new. This section establishes public notice districts for Kings
7 County. These districts are the successors to the former judicial districts that were preserved for
8 notice publication in accordance with former Government Code Section 71042.5.

9 **§ 6085.260. Lake County**

10 6085.260. (a) Lake County contains the following public notice districts:

11 (1) Clearlake Highlands District, which is comprised of the city of Clearlake.

12 (2) Lakeport District, which is comprised of the city of Lakeport.

13 (b) For the purpose of publishing notice arising from a location within Lake
14 County that is not within one of the districts described in subdivision (a):

15 (1) If the location is within ten miles of a district, notice shall be published in the
16 nearest district.

17 (2) If the location is not within ten miles of a district, notice shall be given as if
18 the location is in a public notice district without a newspaper of general
19 circulation.

20 **Comment.** Section 6085.260 is new. This section establishes public notice districts for Lake
21 County. These districts are the successors to the former judicial districts that were preserved for
22 notice publication in accordance with former Government Code Section 71042.5. Not every
23 former judicial district is continued.

24 **§ 6085.270. Lassen County**

25 6085.270. (a) Lassen County contains the following public notice district:

26 (1) Westwood-Honey Lake District, which is comprised of the city of Susanville
27 and the unincorporated area known as Westwood.

28 (b) For the purpose of publishing notice arising from a location within Lassen
29 County that is not within the district described in subdivision (a):

30 (1) If the location is within ten miles of the district, notice shall be published in
31 the district.

32 (2) If the location is not within ten miles of the district, notice shall be given as
33 if the location is in a public notice district without a newspaper of general
34 circulation.

35 **Comment.** Section 6085.270 is new. This section establishes public notice districts for Lassen
36 County. These districts are the successors to the former judicial districts that were preserved for
37 notice publication in accordance with former Government Code Section 71042.5. Not every
38 former judicial district is continued.

39 **§ 6085.280. Los Angeles County**

40 6085.280. (a) Los Angeles County contains the following public notice districts:

1 (1) Alhambra District, which is comprised of the cities of Alhambra, Monterey
2 Park, San Gabriel, and Temple City and the unincorporated areas known as East
3 San Gabriel and South San Gabriel.

4 (2) Antelope District, which is comprised of the cities of Lancaster and
5 Palmdale and the unincorporated areas known as Antelope, Del Sur, Elizabeth
6 Lake, Green Valley, Lake Hughes, Lake Los Angeles, Leona Valley, Little Rock,
7 Llano, Pearblossom, Quartz Hill, Sun Village, and Wilsona.

8 (3) Beverly Hills District, which is comprised of the cities of Beverly Hills and
9 West Hollywood.

10 (4) Burbank District, which is comprised of the city of Burbank.

11 (5) Catalina District, which is comprised of San Clemente Island and Santa
12 Catalina Island.

13 (6) Citrus District, which is comprised of the cities of Azuza, Baldwin Park,
14 Covina, Glendora, Industry, Irwindale, and West Covina and the unincorporated
15 areas known as Citrus, Charter Oak, Rowland Heights, South San Jose Hills,
16 Valinda, Vincent, and West Puente Valley.

17 (7) Compton District, which is comprised of the cities of Carson, Compton,
18 Lynwood, and Paramount and the unincorporated areas known as Athens, East
19 Compton, East Rancho Dominguez, West Carson, West Compton, West Rancho
20 Dominguez, and Willowbrook.

21 (8) Culver District, which is comprised of Culver City and the unincorporated
22 areas known as Centinela, Ladera Heights, Marina Del Rey, View Park, and
23 Windsor Hills.

24 (9) Downey District, which is comprised of the cities of Downey, La Mirada,
25 and Norwalk.

26 (10) East Los Angeles District, which is comprised of the cities of Commerce
27 and Montebello and the unincorporated areas known as Belvedere and East Los
28 Angeles.

29 (11) El Monte-Rio Hondo District, which is comprised of the cities of El Monte,
30 La Puente, Rosemead, and South El Monte and the unincorporated areas known as
31 Avocado Heights, East Arcadia, Hacienda Heights, Mayflower Village, North El
32 Monte, and Rio Hondo.

33 (12) Glendale District, which is comprised of the cities of Glendale and La
34 Cañada Flintridge and the unincorporated areas known as La Crescenta and
35 Montrose.

36 (13) Inglewood District, which is comprised of the cities of El Segundo,
37 Hawthorne, and Inglewood and the unincorporated areas known as Del Aire,
38 Lennox, West Athens, and Westmont.

39 (14) Long Beach District, which is comprised of the cities of Long Beach and
40 Signal Hill.

41 (15) Los Angeles District, which is comprised of the cities of Los Angeles and
42 San Fernando.

1 (16) Los Cerritos District, which is comprised of the cities of Artesia, Bell
2 Flower, Cerritos, Hawaiian Gardens, and Lakewood.

3 (17) Malibu District, which is comprised of the cities of Agoura Hills,
4 Calabasas, Hidden Hills, Malibu, and Westlake Village and the unincorporated
5 areas known as Agoura, Malibu Heights, Topanga, and West Hills.

6 (18) Newhall-Soledad District, which is comprised of the city of Santa Clarita
7 and the unincorporated areas known as Acton, Agua Dulce, Castaic, Canyon
8 Country, Halsey Canyon, Gorman, Neenach, Newhall, Santa Susana Mountains,
9 Saugus, Stevenson Ranch, Val Verde, and Valencia.

10 (19) Pasadena District, which is comprised of the cities of Pasadena, San
11 Marino, Sierra Madre, and South Pasadena and the unincorporated areas known as
12 Altadena, East Pasadena, Kinneloa Mesa, and San Pasqual.

13 (20) Pomona District, which is comprised of the cities of Claremont, Diamond
14 Bar, La Verne, Pomona, San Dimas, and Walnut.

15 (21) Santa Anita District, which is comprised of the cities of Arcadia, Bradbury,
16 Duarte, and Monrovia and the unincorporated area known as South Monrovia
17 Island.

18 (22) Santa Monica District, which is comprised of the city of Santa Monica.

19 (23) Southeast District, which is comprised of the cities of Bell, Bell Gardens,
20 Cudahy, Huntington Park, Maywood, South Gate, and Vernon and the
21 unincorporated areas known as Florence-Graham and Walnut Park.

22 (24) South Bay District, which is comprised of the cities of Gardena, Hermosa
23 Beach, Lawndale, Lomita, Manhattan Beach, Palos Verdes Estates, Rancho Palos
24 Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, and Torrance and the
25 unincorporated areas known as Alondra Park and El Camino Village.

26 (25) Whittier District, which is comprised of the cities of La Habra Heights,
27 Pico Rivera, Santa Fe Springs, and Whittier and the unincorporated areas known
28 as East Whittier, Rose Hills, South Whittier, and West Whittier-Los Nietos.

29 (b) For the purpose of publishing notice arising from a location within Los
30 Angeles County that is not within one of the districts described in subdivision (a):

31 (1) If the location is within five miles of a district, notice shall be published in
32 the nearest district.

33 (2) If the location is not within five miles of a district, notice shall be given as if
34 the location is in a public notice district without a newspaper of general
35 circulation.

36 **Comment.** Section 6085.280 is new. This section establishes public notice districts for Los
37 Angeles County. These districts are the successors to the former judicial districts that were
38 preserved for notice publication in accordance with former Government Code Section 71042.5.

39 **Notes.** (1) The public notice districts listed above for Los Angeles County are based on the
40 judicial districts existing on December 8, 1967. However, the Commission found that two judicial
41 districts that appear to have existed on that date are shown as a single consolidated district on
42 county-prepared judicial district maps. Specifically, the Southeast District, described in paragraph
43 (a)(23) above, may have been two districts – San Antonio and South Gate – on the date in

1 question. The Commission welcomes comment on whether these two districts are currently used
2 for notice publication and whether they should be continued as separate public notice districts.

3 (2) In Los Angeles County, the district descriptions include names of unincorporated areas that
4 were gathered from a variety of sources. The Commission welcomes comment on how those
5 areas have been named and assigned to districts.

6 **§ 6085.290. Madera County**

7 6085.290. (a) Madera County contains the following public notice districts:

8 (1) Chowchilla District, which is comprised of the city of Chowchilla.

9 (2) Madera District, which is comprised of the city of Madera.

10 (3) Sierra District, which is comprised of the unincorporated areas known as
11 Ahwahnee, Coarsegold, Oakhurst, and Yosemite Lakes.

12 (b) For the purpose of publishing notice arising from a location within Madera
13 County that is not within one of the districts described in subdivision (a):

14 (1) If the location is within ten miles of a district, notice shall be published in the
15 nearest district.

16 (2) If the location is not within ten miles of a district, notice shall be given as if
17 the location is in a public notice district without a newspaper of general
18 circulation.

19 **Comment.** Section 6085.290 is new. This section establishes public notice districts for Madera
20 County. These districts are the successors to the former judicial districts that were preserved for
21 notice publication in accordance with former Government Code Section 71042.5.

22 **§ 6085.300. Marin County**

23 6085.300. (a) Marin County contains the following public notice district:

24 (1) Central District, which is comprised of the cities of Belvedere, Corte
25 Madera, Fairfax, Larkspur, Mill Valley, Novato, Ross, San Anselmo, San Rafael,
26 Sausalito, and Tiburon and the unincorporated area known as Tamalpais-
27 Homestead Valley.

28 (b) For the purpose of publishing notice arising from a location within Marin
29 County that is not within the district described in subdivision (a):

30 (1) If the location is within ten miles of the district, notice shall be published in
31 the district.

32 (2) If the location is not within ten miles of the district, notice shall be given as
33 if the location is in a public notice district without a newspaper of general
34 circulation.

35 **Comment.** Section 6085.300 is new. This section establishes public notice districts for Marin
36 County. These districts are the successors to the former judicial districts that were preserved for
37 notice publication in accordance with former Government Code Section 71042.5. Not every
38 former judicial district is continued.

39 **§ 6085.310. Mariposa County**

40 6085.310. Mariposa County contains a single, countywide public notice district.

1 **Comment.** Section 6085.310 is new. This section establishes a public notice district for
2 Mariposa County. This district is the successor to the former judicial districts that were preserved
3 for notice publication in accordance with former Government Code Section 71042.5.

4 **§ 6085.320. Mendocino County**

5 6085.320. (a) Mendocino County contains the following public notice districts:

6 (1) Arena District, which is comprised of the city of Point Arena.

7 (2) Little Lake District, which is comprised of the city of Willits.

8 (3) Ten Mile River District, which is comprised of the city of Fort Bragg.

9 (4) Ukiah District, which is comprised of the city of Ukiah.

10 (b) For the purpose of publishing notice arising from a location within
11 Mendocino County that is not within one of the districts described in subdivision
12 (a):

13 (1) If the location is within ten miles of a district, notice shall be published in the
14 nearest district.

15 (2) If the location is not within ten miles of a district, notice shall be given as if
16 the location is in a public notice district without a newspaper of general
17 circulation.

18 **Comment.** Section 6085.320 is new. This section establishes public notice districts for
19 Mendocino County. These districts are the successors to the former judicial districts that were
20 preserved for notice publication in accordance with former Government Code Section 71042.5.
21 Not every former judicial district is continued.

22 **§ 6085.330. Merced County**

23 6085.330. (a) Merced County contains the following public notice districts:

24 (1) Atwater District, which is comprised of the city of Atwater and the
25 unincorporated areas known as Cressey, McSwain, and Winton.

26 (2) Dos Palos District, which is comprised of the city of Dos Palos.

27 (3) Gustine District, which is comprised of the city of Gustine.

28 (4) Livingston District, which is comprised of the city of Livingston and the
29 unincorporated areas known as Ballico, Delhi, and Stevinson.

30 (5) Los Banos District, which is comprised of the city of Los Banos and the
31 unincorporated area known as Santa Nella.

32 (6) Merced District, which is comprised of the city of Merced and the
33 unincorporated area known as Franklin.

34 (b) For the purpose of publishing notice arising from a location within Merced
35 County that is not within one of the districts described in subdivision (a):

36 (1) If the location is within ten miles of a district, notice shall be published in the
37 nearest district.

38 (2) If the location is not within ten miles of a district, notice shall be given as if
39 the location is in a public notice district without a newspaper of general
40 circulation.

41 **Comment.** Section 6085.330 is new. This section establishes public notice districts for Merced
42 County. These districts are the successors to the former judicial districts that were preserved for

1 notice publication in accordance with former Government Code Section 71042.5. Not every
2 former judicial district is continued.

3 **§ 6085.340. Modoc County**

4 6085.340. (a) Modoc County contains the following public notice district:

5 (1) Alturas District, which is comprised of the city of Alturas.

6 (b) For the purpose of publishing notice arising from a location within Modoc
7 County that is not within the district described in subdivision (a):

8 (1) If the location is within ten miles of the district, notice shall be published in
9 the district.

10 (2) If the location is not within ten miles of the district, notice shall be given as
11 if the location is in a public notice district without a newspaper of general
12 circulation.

13 **Comment.** Section 6085.340 is new. This section establishes public notice districts for Modoc
14 County. These districts are the successors to the former judicial districts that were preserved for
15 notice publication in accordance with former Government Code Section 71042.5. Not every
16 former judicial district is continued.

17 **§ 6085.350. Mono County**

18 6085.350. Mono County contains a single, countywide public notice district.

19 **Comment.** Section 6085.350 is new. This section establishes a public notice district for Mono
20 County. This district is the successor to the former countywide judicial district that was preserved
21 for notice publication in accordance with former Government Code Section 71042.5.

22 **§ 6085.360. Monterey County**

23 6085.360. (a) Monterey County contains the following public notice districts:

24 (1) Castroville-Pajaro District, which is comprised of the unincorporated areas
25 known as Castroville, Pajaro, and Pruneville.

26 (2) Gonzales District, which is comprised of the city of Gonzales.

27 (3) Greenfield District, which is comprised of the city of Greenfield.

28 (4) King City District, which is comprised of King City.

29 (5) Monterey-Carmel District, which is comprised of the cities of Carmel, Del
30 Rey Oaks, Monterey, Sand City, and Seaside.

31 (6) Pacific Grove District, which is comprised of the city of Pacific Grove and
32 the unincorporated area known as Del Monte Forest.

33 (7) Salinas District, which is comprised of the cities of Marina and Salinas.

34 (8) Soledad District, which is comprised of the city of Soledad.

35 (b) For the purpose of publishing notice arising from a location within Monterey
36 County that is not within one of the districts described in subdivision (a):

37 (1) If the location is within ten miles of a district, notice shall be published in the
38 nearest district.

39 (2) If the location is not within ten miles of a district, notice shall be given as if
40 the location is in a public notice district without a newspaper of general
41 circulation.

1 **Comment.** Section 6085.360 is new. This section establishes public notice districts for
2 Monterey County. These districts are the successors to the former judicial districts that were
3 preserved for notice publication in accordance with former Government Code Section 71042.5.
4 Not every former judicial district is continued.

5 **Note.** The public notice districts listed above for Monterey County are based on the judicial
6 districts existing on December 8, 1967. The former Pajaro judicial district contains no cities or
7 highly populated CDPs. However, all notices arising in the former Pajaro district would be
8 assigned to be published in the Castroville district under the rule in subdivision (b). Therefore, the
9 former Pajaro district is combined with the former Castroville district to form a Castroville-Pajaro
10 public notice district, described in paragraph (a)(1). The Commission welcomes comment on
11 whether this resolution would cause any problems.

12 **§ 6085.370. Napa County**

13 6085.370. (a) Napa County contains the following public notice districts:

14 (1) Calistoga District, which is comprised of the city of Calistoga.

15 (2) Napa District, which is comprised of the cities of American Canyon, Napa,
16 and Yountville.

17 (3) St. Helena District, which is comprised of the city of St. Helena and the
18 unincorporated areas known as Angwin, Oakville, and Rutherford.

19 (b) For the purpose of publishing notice arising from a location within Napa
20 County that is not within one of the districts described in subdivision (a):

21 (1) If the location is within ten miles of a district, notice shall be published in the
22 nearest district.

23 (2) If the location is not within ten miles of a district, notice shall be given as if
24 the location is in a public notice district without a newspaper of general
25 circulation.

26 **Comment.** Section 6085.370 is new. This section establishes public notice districts for Napa
27 County. These districts are the successors to the former judicial districts that were preserved for
28 notice publication in accordance with former Government Code Section 71042.5.

29 **§ 6085.380. Nevada County**

30 6085.380. (a) Nevada County contains the following public notice districts:

31 (1) Grass Valley District, which is comprised of the city of Grass Valley.

32 (2) Nevada District, which is comprised of Nevada City.

33 (3) Truckee District, which is comprised of the city of Truckee.

34 (b) For the purpose of publishing notice arising from a location within Nevada
35 County that is not within one of the districts described in subdivision (a):

36 (1) If the location is within ten miles of a district, notice shall be published in the
37 nearest district.

38 (2) If the location is not within ten miles of a district, notice shall be given as if
39 the location is in a public notice district without a newspaper of general
40 circulation.

41 **Comment.** Section 6085.380 is new. This section establishes public notice districts for Nevada
42 County. These districts are the successors to the former judicial districts that were preserved for
43 notice publication in accordance with former Government Code Section 71042.5.

1 § 6085.390. Orange County

2 6085.390. (a) Orange County contains the following public notice districts:

3 (1) Central Orange County District, which is comprised of the cities of Orange,
4 Santa Ana, Tustin, and Villa Park and the unincorporated area known as North
5 Tustin.

6 (2) North Orange County District, which is comprised of the cities of Anaheim,
7 Brea, Buena Park, Cypress, Fullerton, Garden Grove, La Habra, La Palma,
8 Placentia, Stanton, and Yorba Linda.

9 (3) Orange County Harbor District, which is comprised of the cities of Costa
10 Mesa, Irvine, and Newport Beach.

11 (4) South Orange County District, which is comprised of the cities of Aliso
12 Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods,
13 Lake Forest, Mission Viejo, Rancho Santa Margarita, San Clemente, and San Juan
14 Capistrano and the unincorporated areas known as Coto de Caza and Ladera
15 Ranch.


16 (5) West Orange County District, which is comprised of the cities of Fountain
17 Valley, Huntington Beach, Los Alamitos, Seal Beach, and Westminster and the
18 unincorporated area known as Rossmoor.

19 (b) For the purpose of publishing notice arising from a location within Orange
20 County that is not within one of the districts described in subdivision (a):

21 (1) If the location is within five miles of a district, notice shall be published in
22 the nearest district.

23 (2) If the location is not within five miles of a district, notice shall be given as if
24 the location is in a public notice district without a newspaper of general
25 circulation.

26 **Comment.** Section 6085.390 is new. This section establishes public notice districts for Orange
27 County. These districts are the successors to the former judicial districts that were preserved for
28 notice publication in accordance with former Government Code Section 71042.5.

29  **Note.** The public notice districts listed above for Orange County are based on the judicial
30 districts existing on December 8, 1967. Although December 8, 1967 appears to have been the
31 effective date for Government Code Section 71042.5, the Commission found some information
32 suggesting that Section 71042.5 took effect a month earlier (November 8, 1967). In Orange
33 County, the names of the judicial districts changed during that interval. The Commission
34 welcomes comment on the correct effective date for Section 71042.5.

35 § 6085.400. Placer County

36 6085.400. (a) Placer County contains the following public notice districts:

37 (1) Auburn District, which is comprised of the city of Auburn and the
38 unincorporated areas known as Meadow Vista, Newcastle, and North Auburn.

39 (2) Colfax-Alta-Dutch Flat District, which is comprised of the city of Colfax and
40 the unincorporated areas known as Alta and Dutch Flat.

41 (3) Lincoln District, which is comprised of the city of Lincoln.

42 (4) Loomis District, which is comprised of the cities of Loomis and Rocklin and
43 the unincorporated areas known as Granite Bay and Penryn.

1 (5) Roseville District, which is comprised of the city of Roseville.

2 (b) For the purpose of publishing notice arising from a location within Placer
3 County that is not within one of the districts described in subdivision (a):

4 (1) If the location is within ten miles of a district, notice shall be published in the
5 nearest district.

6 (2) If the location is not within ten miles of a district, notice shall be given as if
7 the location is in a public notice district without a newspaper of general
8 circulation.

9 **Comment.** Section 6085.400 is new. This section establishes public notice districts for Placer
10 County. These districts are the successors to the former judicial districts that were preserved for
11 notice publication in accordance with former Government Code Section 71042.5. Not every
12 former judicial district is continued.

13 **§ 6085.410. Plumas County**

14 6085.410. (a) Plumas County contains the following public notice district:

15 (1) Beckwourth District, which is comprised of the city of Portola and the
16 unincorporated area known as Beckwourth.

17 (b) For the purpose of publishing notice arising from a location within Plumas
18 County that is not within the district described in subdivision (a):

19 (1) If the location is within ten miles of the district, notice shall be published in
20 the district.

21 (2) If the location is not within ten miles of the district, notice shall be given as
22 if the location is in a public notice district without a newspaper of general
23 circulation.

24 **Comment.** Section 6085.410 is new. This section establishes public notice districts for Plumas
25 County. These districts are the successors to the former judicial districts that were preserved for
26 notice publication in accordance with former Government Code Section 71042.5. Not every
27 former judicial district is continued.

28 **§ 6085.420. Riverside County**

29 6085.420. (a) Riverside County contains the following public notice districts:

30 (1) Beaumont District, which is comprised of the cities of Beaumont and
31 Calimesa and the unincorporated area known as Cherry Valley.

32 (2) Coachella District, which is comprised of the city of Coachella and the
33 unincorporated areas known as Thermal and Vista Santa Rosa.

34 (3) Corona District, which is comprised of the cities of Corona, Eastvale, and
35 Norco and the unincorporated areas known as El Sobrante, Home Gardens, and
36 Temescal Valley.

37 (4) Desert District, which is comprised of the cities of Cathedral City, Desert
38 Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and
39 Rancho Mirage.

40 (5) Elsinore District, which is comprised of the cities of Canyon Lake, Lake
41 Elsinore, and Wildomar and the unincorporated areas known as Lakeland Village
42 and Meadowbrook.

1 (6) Hemet District, which is comprised of the city of Hemet and the
2 unincorporated areas known as East Hemet, Green Acres, Idyllwild-Pine Cove,
3 Valle Vista, and Winchester.

4 (7) Jurupa District, which is comprised of the city of Jurupa Valley.

5 (8) Mecca District, which is comprised of the unincorporated areas known as
6 Oasis and Mecca.

7 (9) Murrieta District, which is comprised of the cities of Murrieta and Temecula
8 and the unincorporated area known as French Valley.

9 (10) Palo Verde District, which is comprised of the city of Blythe.

10 (11) Perris District, which is comprised of the cities of Menifee and Perris and
11 the unincorporated areas known as Good Hope, Homeland, Lake Mathews, Mead
12 Valley, and Nuevo.

13 (12) Riverside District, which is comprised of the cities of Moreno Valley and
14 Riverside and the unincorporated areas known as March AFB and Woodcrest.

15 (13) San Geronio District, which is comprised of the city of Banning and the
16 unincorporated areas known as Cabazon and Whitewater.

17 (14) San Jacinto District, which is comprised of the city of San Jacinto.

18 (b) For the purpose of publishing notice arising from a location within Riverside
19 County that is not within one of the districts described in subdivision (a):

20 (1) If the location is within ten miles of a district, notice shall be published in the
21 nearest district.

22 (2) If the location is not within ten miles of a district, notice shall be given as if
23 the location is in a public notice district without a newspaper of general
24 circulation.

25 **Comment.** Section 6085.420 is new. This section establishes public notice districts for
26 Riverside County. These districts are the successors to the former judicial districts that were
27 preserved for notice publication in accordance with former Government Code Section 71042.5.

28 **§ 6085.430. Sacramento County**

29 6085.430. (a) Sacramento County contains the following public notice districts:

30 (1) Elk Grove-Galt District, which is comprised of the cities of Elk Grove and
31 Galt and the unincorporated areas known as Rancho Murieta, Vineyard, and
32 Wilton.

33 (2) Fair Oaks-Folsom District, which is comprised of the city of Folsom and the
34 unincorporated areas known as Fair Oaks, Gold River, and Orangevale.

35 (3) Sacramento District, which is comprised of the cities of Citrus Heights,
36 Rancho Cordova, and Sacramento and the unincorporated areas known as
37 Antelope, Arden-Arcade, Carmichael, Florin, Foothill Farms, La Riviera, Lemon
38 Hill, North Highlands, Parkway, Rio Linda, and Rosemont.

39 (4) Walnut Grove-Isleton District, which is comprised of the city of Isleton and
40 the unincorporated area known as Walnut Grove.

1 (b) For the purpose of publishing notice arising from a location within
2 Sacramento County that is not within one of the districts described in subdivision
3 (a):

4 (1) If the location is within ten miles of a district, notice shall be published in the
5 nearest district.

6 (2) If the location is not within ten miles of a district, notice shall be given as if
7 the location is in a public notice district without a newspaper of general
8 circulation.

9 **Comment.** Section 6085.430 is new. This section establishes public notice districts for
10 Sacramento County. These districts are the successors to the former judicial districts that were
11 preserved for notice publication in accordance with former Government Code Section 71042.5.

12 **Note.** The public notice districts listed above for Sacramento County are based on the judicial
13 districts existing on December 8, 1967. Although December 8, 1967 appears to have been the
14 effective date for Government Code Section 71042.5, the Commission found some information
15 suggesting that Section 71042.5 took effect a month earlier (November 8, 1967). In Sacramento
16 County, there was a consolidation of judicial districts during that interval. The Commission
17 welcomes comment on the correct effective date for Section 71042.5.

18 In addition, the Commission had limited information about the precise boundaries of two of the
19 potentially affected districts – the Fair Oaks-Folsom district and the Sacramento district. The
20 Commission welcomes comment on whether the descriptions of those districts, presented above,
21 include the appropriate areas.

22 **§ 6085.440. San Benito County**

23 6085.440. (a) San Benito County contains the following public notice districts:

24 (1) Hollister District, which is comprised of the city of Hollister.

25 (2) San Juan District, which is comprised of the city of San Juan Bautista.

26 (b) For the purpose of publishing notice arising from a location within San
27 Benito County that is not within one of the districts described in subdivision (a):

28 (1) If the location is within ten miles of a district, notice shall be published in the
29 nearest district.

30 (2) If the location is not within ten miles of a district, notice shall be given as if
31 the location is in a public notice district without a newspaper of general
32 circulation.

33 **Comment.** Section 6085.440 is new. This section establishes public notice districts for San
34 Benito County. These districts are the successors to the former judicial districts that were
35 preserved for notice publication in accordance with former Government Code Section 71042.5.
36 Not every former judicial district is continued.

37 **§ 6085.450. San Bernardino County**

38 6085.450. (a) San Bernardino County contains the following public notice
39 districts:

40 (1) Barstow District, which is comprised of the city of Barstow.

41 (2) Bear Valley District, which is comprised of the city of Big Bear Lake and the
42 unincorporated area known as Big Bear City.

1 (3) Bloomington District, which is comprised of the unincorporated area known
2 as Bloomington.

3 (4) Chino District, which is comprised of the cities of Chino and Chino Hills.

4 (5) Colton District, which is comprised of the cities of Colton and Grand
5 Terrace.

6 (6) Crest Forest District, which is comprised of the unincorporated areas known
7 as Crestline and Lake Arrowhead.

8 (7) Cucamonga-Etiwanda District, which is comprised of the city of Rancho
9 Cucamonga.

10 (8) Highland District, which is comprised of the city of Highland.

11 (9) Mission District, which is comprised of the city of Loma Linda.

12 (10) Needles District, which is comprised of the city of Needles.

13 (11) San Bernardino District, which is comprised of the cities of Adelanto,
14 Apple Valley, Fontana, Hesperia, Montclair, Ontario, Redlands, Rialto, San
15 Bernardino, Upland, and Victorville and the unincorporated areas known as Lytle
16 Creek, Mentone, Muscoy, Phelan, and San Antonio Heights.

17 (12) Twentynine Palms District, which is comprised of the cities of Twentynine
18 Palms and Yucca Valley.


19 (13) Yucaipa District, which is comprised of the city of Yucaipa.

20 (b) For the purpose of publishing notice arising from a location within San
21 Bernardino County that is not within one of the districts described in subdivision
22 (a):

23 (1) If the location is within ten miles of a district, notice shall be published in the
24 nearest district.

25 (2) If the location is not within ten miles of a district, notice shall be given as if
26 the location is in a public notice district without a newspaper of general
27 circulation.

28 **Comment.** Section 6085.450 is new. This section establishes public notice districts for San
29 Bernardino County. These districts are the successors to the former judicial districts that were
30 preserved for notice publication in accordance with former Government Code Section 71042.5.
31 Not every former judicial district is continued.

32  **Note.** The public notice districts listed above for San Bernardino County are based on the
33 judicial districts existing on December 8, 1967. Although December 8, 1967 appears to have been
34 the effective date for Government Code Section 71042.5, the Commission found some
35 information suggesting that Section 71042.5 took effect a month earlier (November 8, 1967). In
36 San Bernardino County, several judicial districts consolidated during that interval. The
37 Commission welcomes comment on the correct effective date for Section 71042.5.

38 **§ 6085.460. San Diego County**

39 6085.460. (a) San Diego County contains the following public notice districts:

40 (1) Coronado District, which is comprised of the city of Coronado.

41 (2) El Cajon District, which is comprised of the cities of El Cajon, La Mesa,
42 Lemon Grove, and Santee and the unincorporated areas known as Alpine,

1 Bostonia, Casa de Oro, La Presa, Lakeside, Mount Helix, Rancho San Diego,
2 Spring Valley, and Winter Gardens.

3 (3) Fallbrook District, which is comprised of the unincorporated area known as
4 Fallbrook.

5 (4) National City District, which is comprised of National City.

6 (5) North County District, which is comprised of the cities of Carlsbad, Del Mar,
7 Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista and the
8 unincorporated areas known as Bonsall, Camp Pendleton, Fairbanks Ranch, and
9 Rancho Santa Fe.

10 (6) Ramona District, which is comprised of the unincorporated areas known as
11 Ramona and San Diego Country Estates.

12 (7) San Diego District, which is comprised of the cities of Chula Vista, Imperial
13 Beach, Poway, and San Diego and the unincorporated area known as Bonita.

14 (b) For the purpose of publishing notice arising from a location within San
15 Diego County that is not within one of the districts described in subdivision (a):

16 (1) If the location is within ten miles of a district, notice shall be published in the
17 nearest district.

18 (2) If the location is not within ten miles of a district, notice shall be given as if
19 the location is in a public notice district without a newspaper of general
20 circulation.

21 **Comment.** Section 6085.460 is new. This section establishes public notice districts for San
22 Diego County. These districts are the successors to the former judicial districts that were
23 preserved for notice publication in accordance with former Government Code Section 71042.5.
24 Not every former judicial district is continued.

25 **§ 6085.470. City and County of San Francisco**

26 6085.470. The City and County of San Francisco contains a single, countywide
27 public notice district.

28 **Comment.** Section 6085.470 is new. This section establishes a public notice district for the
29 City and County of San Francisco. This district is the successor to the former countywide judicial
30 district that was preserved for notice publication in accordance with former Government Code
31 Section 71042.5.

32 **§ 6085.480. San Joaquin County**

33 6085.480. (a) San Joaquin County contains the following public notice districts:

34 (1) Lodi District, which is comprised of the city of Lodi.

35 (2) Manteca-Ripon-Escalon District, which is comprised of the cities of Escalon,
36 Lathrop, Manteca, and Ripon and the unincorporated area known as French Camp.

37 (3) Stockton District, which is comprised of the city of Stockton and the
38 unincorporated area known as Garden Acres.

39 (4) Tracy District, which is comprised of the city of Tracy.

40 (b) For the purpose of publishing notice arising from a location within San
41 Joaquin County that is not within one of the districts described in subdivision (a):

1 (1) If the location is within ten miles of a district, notice shall be published in the
2 nearest district.

3 (2) If the location is not within ten miles of a district, notice shall be given as if
4 the location is in a public notice district without a newspaper of general
5 circulation.

6 **Comment.** Section 6085.480 is new. This section establishes public notice districts for San
7 Joaquin County. These districts are the successors to the former judicial districts that were
8 preserved for notice publication in accordance with former Government Code Section 71042.5.

9 **§ 6085.490. San Luis Obispo County**

10 6085.490. (a) San Luis Obispo County contains the following public notice
11 districts:

12 (1) First District, which is comprised of the city of El Paso de Robles.

13 (2) Second District, which is comprised of the city of Atascadero and the
14 unincorporated area known as Templeton.

15 (3) Third District, which is comprised of the city of Morro Bay and the
16 unincorporated area known as Los Osos.

17 (4) Fourth District, which is comprised of the city of San Luis Obispo and the
18 unincorporated areas known as Avila Beach and Los Ranchos.

19 (5) Fifth District, which is comprised of the cities of Arroyo Grande, Grover
20 Beach, and Pismo Beach and the unincorporated areas known as Edna and
21 Nipomo.

22 (b) For the purpose of publishing notice arising from a location within San Luis
23 Obispo County that is not within one of the districts described in subdivision (a):

24 (1) If the location is within ten miles of a district, notice shall be published in the
25 nearest district.

26 (2) If the location is not within ten miles of a district, notice shall be given as if
27 the location is in a public notice district without a newspaper of general
28 circulation.

29 **Comment.** Section 6085.490 is new. This section establishes public notice districts for San
30 Luis Obispo County. These districts are the successors to the former judicial districts that were
31 preserved for notice publication in accordance with former Government Code Section 71042.5.

32 **§ 6085.500. San Mateo County**

33 6085.500. (a) San Mateo County contains the following public notice districts:

34 (1) Central District, which is comprised of the cities of Belmont, Burlingame,
35 Foster City, Half Moon Bay, Hillsborough, Millbrae, and San Mateo and the
36 unincorporated area known as Montara.

37 (2) Northern District, which is comprised of the cities of Brisbane, Colma, Daly
38 City, Pacifica, San Bruno, and South San Francisco.

39 (3) Southern District, which is comprised of the cities of Atherton, East Palo
40 Alto, Menlo Park, Portola Valley, Redwood City, San Carlos, and Woodside and
41 the unincorporated area known as North Fair Oaks.

1 (b) For the purpose of publishing notice arising from a location within San
2 Mateo County that is not within one of the districts described in subdivision (a):

3 (1) If the location is within five miles of a district, notice shall be published in
4 the nearest district.

5 (2) If the location is not within five miles of a district, notice shall be given as if
6 the location is in a public notice district without a newspaper of general
7 circulation.

8 **Comment.** Section 6085.500 is new. This section establishes public notice districts for San
9 Mateo County. These districts are the successors to the former judicial districts that were
10 preserved for notice publication in accordance with former Government Code Section 71042.5.

11 **§ 6085.510. Santa Barbara County**

12 6085.510. Santa Barbara County contains the following public notice districts:

13 (1) Carpinteria-Montecito District, which is comprised of the city of Carpinteria
14 and the unincorporated area known as Montecito.

15 (2) Guadalupe District, which is comprised of the city of Guadalupe.

16 (3) Lompoc District, which is comprised of the city of Lompoc and the
17 unincorporated area known as Vandenberg AFB.

18 (4) Santa Barbara-Goleta District, which is comprised of the cities of Goleta and
19 Santa Barbara and the unincorporated area known as Isla Vista.

20 (5) Santa Maria District, which is comprised of the city of Santa Maria and the
21 unincorporated areas known as Los Alamos and Orcutt.

22 (6) Solvang District, which is comprised of the cities of Buellton and Solvang.

23 (b) For the purpose of publishing notice arising from a location within Santa
24 Barbara County that is not within one of the districts described in subdivision (a):

25 (1) If the location is within ten miles of a district, notice shall be published in the
26 nearest district.

27 (2) If the location is not within ten miles of a district, notice shall be given as if
28 the location is in a public notice district without a newspaper of general
29 circulation.

30 **Comment.** Section 6085.510 is new. This section establishes public notice districts for Santa
31 Barbara County. These districts are the successors to the former judicial districts that were
32 preserved for notice publication in accordance with former Government Code Section 71042.5.

33 **§ 6085.520. Santa Clara County**

34 6085.520. (a) Santa Clara County contains the following public notice districts:

35 (1) Gilroy-Morgan Hill District, which is comprised of the cities of Gilroy and
36 Morgan Hill.

37 (2) Los Gatos-Campbell-Saratoga District, which is comprised of the cities of
38 Campbell, Los Gatos, Monte Sereno, and Saratoga.

39 (3) Palo Alto-Mountain View District, which is comprised of the cities of Los
40 Altos, Los Altos Hills, Mountain View, and Palo Alto and the unincorporated
41 areas known as Loyola and Stanford.

1 (4) San Jose-Milpitas-Alviso District, which is comprised of the cities of
2 Milpitas and San Jose and the unincorporated area known as Alum Rock.

3 (5) Santa Clara-Cupertino District, which is comprised of the cities of Cupertino
4 and Santa Clara.

5 (6) Sunnyvale District, which is comprised of the city of Sunnyvale.

6 (b) For the purpose of publishing notice arising from a location within Santa
7 Clara County that is not within one of the districts described in subdivision (a):

8 (1) If the location is within five miles of a district, notice shall be published in
9 the nearest district.

10 (2) If the location is not within five miles of a district, notice shall be given as if
11 the location is in a public notice district without a newspaper of general
12 circulation.

13 **Comment.** Section 6085.520 is new. This section establishes public notice districts for Santa
14 Clara County. These districts are the successors to the former judicial districts that were
15 preserved for notice publication in accordance with former Government Code Section 71042.5.

16 **§ 6085.530. Santa Cruz County**

17 6085.530. Santa Cruz County contains a single, countywide public notice
18 district.

19 **Comment.** Section 6085.530 is new. This section establishes a public notice district for Santa
20 Cruz County. This district is the successor to the former countywide judicial district that was
21 preserved for notice publication in accordance with former Government Code Section 71042.5.

22 **§ 6085.540. Shasta County**

23 6085.540. (a) Shasta County contains the following public notice districts:

24 (1) Anderson District, which is comprised of the city of Anderson.

25 (2) Central Valley District, which is comprised of the city of Shasta Lake.

26 (3) Redding District, which is comprised of the city of Redding.

27 (b) For the purpose of publishing notice arising from a location within Shasta
28 County that is not within one of the districts described in subdivision (a):

29 (1) If the location is within ten miles of a district, notice shall be published in the
30 nearest district.

31 (2) If the location is not within ten miles of a district, notice shall be given as if
32 the location is in a public notice district without a newspaper of general
33 circulation.

34 **Comment.** Section 6085.540 is new. This section establishes public notice districts for Shasta
35 County. These districts are the successors to the former judicial districts that were preserved for
36 notice publication in accordance with former Government Code Section 71042.5. Not every
37 former judicial district is continued.

38 **§ 6085.550. Sierra County**

39 6085.550. Sierra County contains a single, countywide public notice district.

40 **Comment.** Section 6085.550 is new. This section establishes a public notice district for Sierra
41 County. This district is the successor to the former countywide judicial district that was preserved
42 for notice publication in accordance with former Government Code Section 71042.5.

1 § 6085.560. Siskiyou County

2 6085.560. (a) Siskiyou County contains the following public notice districts:

3 (1) Dorris District, which is comprised of the city of Dorris.

4 (2) Dunsmuir-Mount Shasta District, which is comprised of the cities of
5 Dunsmuir and Mount Shasta.

6 (3) Scott Valley District, which is comprised of the cities of Etna and Fort Jones.

7 (4) Shasta Valley District, which is comprised of the cities of Montague and
8 Weed.

9 (5) Tulelake District, which is comprised of the city of Tulelake.

10 (6) Yreka District, which is comprised of the city of Yreka.

11 (b) For the purpose of publishing notice arising from a location within Siskiyou
12 County that is not within one of the districts described in subdivision (a):

13 (1) If the location is within ten miles of a district, notice shall be published in the
14 nearest district.

15 (2) If the location is not within ten miles of a district, notice shall be given as if
16 the location is in a public notice district without a newspaper of general
17 circulation.

18 **Comment.** Section 6085.560 is new. This section establishes public notice districts for
19 Siskiyou County. These districts are the successors to the former judicial districts that were
20 preserved for notice publication in accordance with former Government Code Section 71042.5.
21 Not every former judicial district is continued.

22 § 6085.570. Solano County

23 6085.570. (a) Solano County contains the following public notice districts:

24 (1) Benicia District, which is comprised of the city of Benicia.

25 (2) Dixon District, which is comprised of the city of Dixon.

26 (3) Fairfield-Suisun District, which is comprised of the cities of Fairfield and
27 Suisun City.

28 (4) Rio Vista District, which is comprised of the city of Rio Vista.

29 (5) Vacaville District, which is comprised of the city of Vacaville.

30 (6) Vallejo District, which is comprised of the city of Vallejo.

31 (b) For the purpose of publishing notice arising from a location within Solano
32 County that is not within one of the districts described in subdivision (a):

33 (1) If the location is within ten miles of a district, notice shall be published in the
34 nearest district.

35 (2) If the location is not within ten miles of a district, notice shall be given as if
36 the location is in a public notice district without a newspaper of general
37 circulation.

38 **Comment.** Section 6085.570 is new. This section establishes public notice districts for Solano
39 County. These districts are the successors to the former judicial districts that were preserved for
40 notice publication in accordance with former Government Code Section 71042.5.

41 **Note.** The public notice districts listed above for Solano County are based on the judicial
42 districts existing on December 8, 1967. Although December 8, 1967 appears to have been the
43 effective date for Government Code Section 71042.5, the Commission found some information

1 suggesting that Section 71042.5 took effect a month earlier (November 8, 1967). In Solano
2 County, one of the judicial districts changed its name during that interval. The Commission
3 welcomes comment on the correct effective date for Section 71042.5.

4 **§ 6085.580. Sonoma County**

5 6085.580. (a) Sonoma County contains the following public notice districts:

6 (1) Central Sonoma County District, which is comprised of the cities of Cotati,
7 Rohnert Park, Santa Rosa, and Sebastopol and the unincorporated areas known as
8 Bloomfield, Forestville, and Guerneville.

9 (2) Northern District, which is comprised of the cities of Cloverdale,
10 Healdsburg, and Windsor.

11 (3) Petaluma District, which is comprised of the city of Petaluma and the
12 unincorporated area known as Penngrove.

13 (4) Sonoma District, which is comprised of the city of Sonoma and the
14 unincorporated areas known as Boyes Hot Springs and Kenwood.

15 (b) For the purpose of publishing notice arising from a location within Sonoma
16 County that is not within one of the districts described in subdivision (a):

17 (1) If the location is within ten miles of a district, notice shall be published in the
18 nearest district.

19 (2) If the location is not within ten miles of a district, notice shall be given as if
20 the location is in a public notice district without a newspaper of general
21 circulation.

22 **Comment.** Section 6085.580 is new. This section establishes public notice districts for
23 Sonoma County. These districts are the successors to the former judicial districts that were
24 preserved for notice publication in accordance with former Government Code Section 71042.5.

25 **§ 6085.590. Stanislaus County**

26 6085.590. (a) Stanislaus County contains the following public notice districts:

27 (1) Ceres District, which is comprised of the cities of Ceres and Hughson and
28 the unincorporated areas known as Bystrom, Keyes, and Parklawn.

29 (2) Modesto District, which is comprised of the city of Modesto and the
30 unincorporated areas known as Airport, Del Rio, Empire, and Salida.

31 (3) Newman District, which is comprised of the city of Newman and the
32 unincorporated area known as Crows Landing.

33 (4) Oakdale-Waterford District, which is comprised of the cities of Oakdale and
34 Waterford.

35 (5) Patterson District, which is comprised of the city of Patterson and the
36 unincorporated area known as Grayson.

37 (6) Riverbank District, which is comprised of the city of Riverbank.

38 (7) Turlock District, which is comprised of the city of Turlock.

39 (b) For the purpose of publishing notice arising from a location within Stanislaus
40 County that is not within one of the districts described in subdivision (a):

41 (1) If the location is within ten miles of a district, notice shall be published in the
42 nearest district.

1 (2) If the location is not within ten miles of a district, notice shall be given as if
2 the location is in a public notice district without a newspaper of general
3 circulation.

4 **Comment.** Section 6085.590 is new. This section establishes public notice districts for
5 Stanislaus County. These districts are the successors to the former judicial districts that were
6 preserved for notice publication in accordance with former Government Code Section 71042.5.

7 **§ 6085.600. Sutter County**

8 6085.600. (a) Sutter County contains the following public notice districts:

9 (1) Butte District, which is comprised of the city of Live Oak.

10 (2) Yuba District, which is comprised of Yuba City.

11 (b) For the purpose of publishing notice arising from a location within Sutter
12 County that is not within one of the districts described in subdivision (a):

13 (1) If the location is within ten miles of a district, notice shall be published in the
14 nearest district.

15 (2) If the location is not within ten miles of a district, notice shall be given as if
16 the location is in a public notice district without a newspaper of general
17 circulation.

18 **Comment.** Section 6085.600 is new. This section establishes public notice districts for Sutter
19 County. These districts are the successors to the former judicial districts that were preserved for
20 notice publication in accordance with former Government Code Section 71042.5.

21 **§ 6085.610. Tehama County**

22 6085.610. (a) Tehama County contains the following public notice districts:

23 (1) Corning District, which is comprised of the city of Corning and the
24 unincorporated area known as Los Molinos.

25 (2) Red Bluff District, which is comprised of the cities of Red Bluff and Tehama
26 and the unincorporated area known as Gerber.

27 (b) For the purpose of publishing notice arising from a location within Tehama
28 County that is not within one of the districts described in subdivision (a):

29 (1) If the location is within ten miles of a district, notice shall be published in the
30 nearest district.

31 (2) If the location is not within ten miles of a district, notice shall be given as if
32 the location is in a public notice district without a newspaper of general
33 circulation.

34 **Comment.** Section 6085.610 is new. This section establishes public notice districts for Tehama
35 County. These districts are the successors to the former judicial districts that were preserved for
36 notice publication in accordance with former Government Code Section 71042.5.

37 **§ 6085.620. Trinity County**

38 6085.620. Trinity County contains a single, countywide public notice district.

39 **Comment.** Section 6085.620 is new. This section establishes a public notice district for Trinity
40 County. This district is the successor to the former judicial districts that were preserved for notice
41 publication in accordance with former Government Code Section 71042.5.

1 § 6085.630. Tulare County

2 6085.630. (a) Tulare County contains the following public notice districts:

3 (1) Dinuba District, which is comprised of the city of Dinuba and the
4 unincorporated areas known as Cutler and Orosi.

5 (2) Exeter-Farmersville District, which is comprised of the cities of Exeter and
6 Farmersville.

7 (3) Lindsay District, which is comprised of the city of Lindsay and the
8 unincorporated area known as Strathmore.

9 (4) Pixley District, which is comprised of the unincorporated areas known as
10 Earlimart, Pixley, Tipton, and Woodville.

11 (5) Porterville District, which is comprised of the city of Porterville and the
12 unincorporated areas known as Cotton Center and Poplar.

13 (6) Tulare District, which is comprised of the city of Tulare.

14 (7) Visalia District, which is comprised of the city of Visalia and the
15 unincorporated area known as Ivanhoe.

16 (8) Woodlake District, which is comprised of the city of Woodlake.

17 (b) For the purpose of publishing notice arising from a location within Tulare
18 County that is not within one of the districts described in subdivision (a):

19 (1) If the location is within ten miles of a district, notice shall be published in the
20 nearest district.

21 (2) If the location is not within ten miles of a district, notice shall be given as if
22 the location is in a public notice district without a newspaper of general
23 circulation.

24 **Comment.** Section 6085.630 is new. This section establishes public notice districts for Tulare
25 County. These districts are the successors to the former judicial districts that were preserved for
26 notice publication in accordance with former Government Code Section 71042.5.

27 § 6085.640. Tuolumne County

28 6085.640. (a) Tuolumne County contains the following public notice district:

29 (1) Sonora District, which is comprised of the city of Sonora.

30 (b) For the purpose of publishing notice arising from a location within
31 Tuolumne County that is not within the district described in subdivision (a):

32 (1) If the location is within ten miles of the district, notice shall be published in
33 the district.

34 (2) If the location is not within ten miles of the district, notice shall be given as
35 if the location is in a public notice district without a newspaper of general
36 circulation.

37 **Comment.** Section 6085.640 is new. This section establishes public notice districts for
38 Tuolumne County. These districts are the successors to the former judicial districts that were
39 preserved for notice publication in accordance with former Government Code Section 71042.5.
40 Not every former judicial district is continued.

41 § 6085.650. Ventura County

42 6085.650. Ventura County contains a single, countywide public notice district.

1 **Comment.** Section 6085.650 is new. This section establishes a public notice district for
2 Ventura County. This district is the successor to the former countywide judicial district that was
3 preserved for notice publication in accordance with former Government Code Section 71042.5.

4 **§ 6085.660. Yolo County**

5 6085.660. (a) Yolo County contains the following public notice districts:

- 6 (1) Davis District, which is comprised of the city of Davis.
- 7 (2) Washington District, which is comprised of the city of West Sacramento.
- 8 (3) Winters District, which is comprised of the city of Winters.
- 9 (4) Woodland District, which is comprised of the city of Woodland.

10 (b) For the purpose of publishing notice arising from a location within Yolo
11 County that is not within one of the districts described in subdivision (a):

12 (1) If the location is within ten miles of a district, notice shall be published in the
13 nearest district.

14 (2) If the location is not within ten miles of a district, notice shall be given as if
15 the location is in a public notice district without a newspaper of general
16 circulation.

17 **Comment.** Section 6085.660 is new. This section establishes public notice districts for Yolo
18 County. These districts are the successors to the former judicial districts that were preserved for
19 notice publication in accordance with former Government Code Section 71042.5. Not every
20 former judicial district is continued.

21 **§ 6085.670. Yuba County**

22 6085.670. (a) Yuba County contains the following public notice districts:

- 23 (1) Marysville District, which is comprised of the city of Marysville and the
24 unincorporated areas known as Linda, Olivehurst, and Plumas Lake.
- 25 (2) Wheatland District, which is comprised of the city of Wheatland and the
26 unincorporated area known as Beale AFB.

27 (b) For the purpose of publishing notice arising from a location within Yuba
28 County that is not within one of the districts described in subdivision (a):

29 (1) If the location is within ten miles of a district, notice shall be published in the
30 nearest district.

31 (2) If the location is not within ten miles of a district, notice shall be given as if
32 the location is in a public notice district without a newspaper of general
33 circulation.

34 **Comment.** Section 6085.670 is new. This section establishes public notice districts for Yuba
35 County. These districts are the successors to the former judicial districts that were preserved for
36 notice publication in accordance with former Government Code Section 71042.5. Not every
37 former judicial district is continued.

CONFORMING REVISIONS

BUSINESS AND PROFESSIONS CODE

Bus. & Prof. Code § 21707 (amended). Notice requirement for self-storage facility lien sale

SEC. _____. Section 21707 of the Business and Professions Code is amended to read:

21707. (a) After the expiration of the time given in the notice of lien sale, pursuant to subdivision (b) of Section 21705, or following the failure of a claimant to pay rent or obtain a court order pursuant to Section 21709, an advertisement of the sale shall be published once a week for two weeks consecutively in a newspaper of general circulation published in the ~~judicial~~ public notice district where the sale is to be held. The advertisement shall include a general description of the goods, the name of the person on whose account they are being stored, and the name and location of the storage facility. If there is no newspaper of general circulation published in the ~~judicial~~ public notice district where the sale is to be held, the advertisement shall be posted at least 10 days before the sale in not less than six conspicuous places in the neighborhood of the proposed sale. The sale shall be conducted in a commercially reasonable manner. After deducting the amount of the lien and costs of sale, the owner shall retain any excess proceeds of the sale on the occupant's behalf. The occupant, or any other person having a court order or other judicial process against the property, may claim the excess proceeds, or a portion thereof sufficient to satisfy the particular claim, at any time within one year of the date of sale. Thereafter, the owner shall pay any remaining excess proceeds to the treasury of the county in which the sale was held.

(b) For the purposes of this section, publication of notice in a public notice district is governed by Chapter 1.1 (commencing with Section 6080) of Division 7 of Title 1 of the Government Code.

Comment. Section 21707 is amended to replace “judicial district” with “public notice district” and to refer to the provisions governing publication of notice in a “public notice district.”

CIVIL CODE

Civ. Code § 2924f (amended). Home foreclosure sale made under power of sale

SEC. _____. Section 2924f of the Civil Code is amended to read:

2924f. (a) As used in this section and Sections 2924g and 2924h, “property” means real property or a leasehold estate therein, and “calendar week” means Monday through Saturday, inclusive.

(b)(1) Except as provided in subdivision (c), before any sale of property can be made under the power of sale contained in any deed of trust or mortgage, or any resale resulting from a rescission for a failure of consideration pursuant to subdivision (c) of Section 2924h, notice of the sale thereof shall be given by

1 posting a written notice of the time of sale and of the street address and the
2 specific place at the street address where the sale will be held, and describing the
3 property to be sold, at least 20 days before the date of sale in one public place in
4 the city where the property is to be sold, if the property is to be sold in a city, or, if
5 not, then in one public place in the ~~judicial district in which~~ area of the property is
6 to be sold, and publishing a copy once a week for three consecutive calendar
7 weeks.

8 (2) The first publication to be at least 20 days before the date of sale, in a
9 newspaper of general circulation published in the city in which the property or
10 some part thereof is situated, if any part thereof is situated in a city, if not, then in
11 a newspaper of general circulation published in the ~~judicial~~ public notice district in
12 which the property or some part thereof is situated, or in case no newspaper of
13 general circulation is published in the city or ~~judicial~~ public notice district, as the
14 case may be, in a newspaper of general circulation published in the county in
15 which the property or some part thereof is situated, or in case no newspaper of
16 general circulation is published in the city or ~~judicial~~ public notice district or
17 county, as the case may be, in a newspaper of general circulation published in the
18 county in this state that is contiguous to the county in which the property or some
19 part thereof is situated and has, by comparison with all similarly contiguous
20 counties, the highest population based upon total county population as determined
21 by the most recent federal decennial census published by the Bureau of the
22 Census. For the purposes of this section, publication of notice in a public notice
23 district is governed by Chapter 1.1 (commencing with Section 6080) of Division 7
24 of Title 1 of the Government Code.

25 (3) A copy of the notice of sale shall also be posted in a conspicuous place on
26 the property to be sold at least 20 days before the date of sale, where possible and
27 where not restricted for any reason. If the property is a single-family residence the
28 posting shall be on a door of the residence, but, if not possible or restricted, then
29 the notice shall be posted in a conspicuous place on the property; however, if
30 access is denied because a common entrance to the property is restricted by a
31 guard gate or similar impediment, the property may be posted at that guard gate or
32 similar impediment to any development community.

33 (4) The notice of sale shall conform to the minimum requirements of Section
34 6043 of the Government Code and be recorded with the county recorder of the
35 county in which the property or some part thereof is situated at least 20 days prior
36 to the date of sale.

37 (5) The notice of sale shall contain the name, street address in this state, which
38 may reflect an agent of the trustee, and either a toll-free telephone number or
39 telephone number in this state of the trustee, and the name of the original trustor,
40 and also shall contain the statement required by paragraph (3) of subdivision (c).
41 In addition to any other description of the property, the notice shall describe the
42 property by giving its street address, if any, or other common designation, if any,
43 and a county assessor's parcel number; but if the property has no street address or

1 other common designation, the notice shall contain a legal description of the
2 property, the name and address of the beneficiary at whose request the sale is to be
3 conducted, and a statement that directions may be obtained pursuant to a written
4 request submitted to the beneficiary within 10 days from the first publication of
5 the notice. Directions shall be deemed reasonably sufficient to locate the property
6 if information as to the location of the property is given by reference to the
7 direction and approximate distance from the nearest crossroads, frontage road, or
8 access road. If a legal description or a county assessor's parcel number and either
9 a street address or another common designation of the property is given, the
10 validity of the notice and the validity of the sale shall not be affected by the fact
11 that the street address, other common designation, name and address of the
12 beneficiary, or the directions obtained therefrom are erroneous or that the street
13 address, other common designation, name and address of the beneficiary, or
14 directions obtained therefrom are omitted.

15 (6) The term "newspaper of general circulation," as used in this section, has the
16 same meaning as defined in Article 1 (commencing with Section 6000) of Chapter
17 1 of Division 7 of Title 1 of the Government Code.

18 (7) The notice of sale shall contain a statement of the total amount of the unpaid
19 balance of the obligation secured by the property to be sold and reasonably
20 estimated costs, expenses, advances at the time of the initial publication of the
21 notice of sale, and, if republished pursuant to a cancellation of a cash equivalent
22 pursuant to subdivision (d) of Section 2924h, a reference of that fact; provided,
23 that the trustee shall incur no liability for any good faith error in stating the proper
24 amount, including any amount provided in good faith by or on behalf of the
25 beneficiary. An inaccurate statement of this amount shall not affect the validity of
26 any sale to a bona fide purchaser for value, nor shall the failure to post the notice
27 of sale on a door as provided by this subdivision affect the validity of any sale to a
28 bona fide purchaser for value.

29 (8)(A) On and after April 1, 2012, if the deed of trust or mortgage containing a
30 power of sale is secured by real property containing from one to four single-family
31 residences, the notice of sale shall contain substantially the following language, in
32 addition to the language required pursuant to paragraphs (1) to (7), inclusive:

33 **NOTICE TO POTENTIAL BIDDERS:** If you are considering bidding on this
34 property lien, you should understand that there are risks involved in bidding at a
35 trustee auction. You will be bidding on a lien, not on the property itself. Placing
36 the highest bid at a trustee auction does not automatically entitle you to free and
37 clear ownership of the property. You should also be aware that the lien being
38 auctioned off may be a junior lien. If you are the highest bidder at the auction, you
39 are or may be responsible for paying off all liens senior to the lien being auctioned
40 off, before you can receive clear title to the property. You are encouraged to
41 investigate the existence, priority, and size of outstanding liens that may exist on
42 this property by contacting the county recorder's office or a title insurance

1 company, either of which may charge you a fee for this information. If you consult
2 either of these resources, you should be aware that the same lender may hold more
3 than one mortgage or deed of trust on the property.

4 NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale
5 may be postponed one or more times by the mortgagee, beneficiary, trustee, or a
6 court, pursuant to Section 2924g of the California Civil Code. The law requires
7 that information about trustee sale postponements be made available to you and to
8 the public, as a courtesy to those not present at the sale. If you wish to learn
9 whether your sale date has been postponed, and, if applicable, the rescheduled
10 time and date for the sale of this property, you may call [telephone number for
11 information regarding the trustee's sale] or visit this Internet Web site [Internet
12 Web site address for information regarding the sale of this property], using the file
13 number assigned to this case [case file number]. Information about postponements
14 that are very short in duration or that occur close in time to the scheduled sale may
15 not immediately be reflected in the telephone information or on the Internet Web
16 site. The best way to verify postponement information is to attend the scheduled
17 sale.

18 (B) A mortgagee, beneficiary, trustee, or authorized agent shall make a good
19 faith effort to provide up-to-date information regarding sale dates and
20 postponements to persons who wish this information. This information shall be
21 made available free of charge. It may be made available via an Internet Web site, a
22 telephone recording that is accessible 24 hours a day, seven days a week, or
23 through any other means that allows 24 hours a day, seven days a week, no-cost
24 access to updated information. A disruption of any of these methods of providing
25 sale date and postponement information to allow for reasonable maintenance or
26 due to a service outage shall not be deemed to be a violation of the good faith
27 standard.

28 (C) Except as provided in subparagraph (B), nothing in the wording of the
29 notices required by subparagraph (A) is intended to modify or create any
30 substantive rights or obligations for any person providing, or specified in, either of
31 the required notices. Failure to comply with subparagraph (A) or (B) shall not
32 invalidate any sale that would otherwise be valid under Section 2924f.

33 (D) Information provided pursuant to subparagraph (A) does not constitute the
34 public declaration required by subdivision (d) of Section 2924g.

35 (9) If the sale of the property is to be a unified sale as provided in subparagraph
36 (B) of paragraph (1) of subdivision (a) of Section 9604 of the Commercial Code,
37 the notice of sale shall also contain a description of the personal property or
38 fixtures to be sold. In the case where it is contemplated that all of the personal
39 property or fixtures are to be sold, the description in the notice of the personal
40 property or fixtures shall be sufficient if it is the same as the description of the
41 personal property or fixtures contained in the agreement creating the security
42 interest in or encumbrance on the personal property or fixtures or the filed

1 financing statement relating to the personal property or fixtures. In all other cases,
2 the description in the notice shall be sufficient if it would be a sufficient
3 description of the personal property or fixtures under Section 9108 of the
4 Commercial Code. Inclusion of a reference to or a description of personal property
5 or fixtures in a notice of sale hereunder shall not constitute an election by the
6 secured party to conduct a unified sale pursuant to subparagraph (B) of paragraph
7 (1) of subdivision (a) of Section 9604 of the Commercial Code, shall not obligate
8 the secured party to conduct a unified sale pursuant to subparagraph (B) of
9 paragraph (1) of subdivision (a) of Section 9604 of the Commercial Code, and in
10 no way shall render defective or noncomplying either that notice or a sale pursuant
11 to that notice by reason of the fact that the sale includes none or less than all of the
12 personal property or fixtures referred to or described in the notice. This paragraph
13 shall not otherwise affect the obligations or duties of a secured party under the
14 Commercial Code.

15 (c)(1) This subdivision applies only to deeds of trust or mortgages which contain
16 a power of sale and which are secured by real property containing a single-family,
17 owner-occupied residence, where the obligation secured by the deed of trust or
18 mortgage is contained in a contract for goods or services subject to the provisions
19 of the Unruh Act (Chapter 1 (commencing with Section 1801) of Title 2 of Part 4
20 of Division 3).

21 (2) Except as otherwise expressly set forth in this subdivision, all other
22 provisions of law relating to the exercise of a power of sale shall govern the
23 exercise of a power of sale contained in a deed of trust or mortgage described in
24 paragraph (1).

25 (3) If any default of the obligation secured by a deed of trust or mortgage
26 described in paragraph (1) has not been cured within 30 days after the recordation
27 of the notice of default, the trustee or mortgagee shall mail to the trustor or
28 mortgagor, at his or her last known address, a copy of the following statement:

YOU ARE IN DEFAULT UNDER A

(Deed of trust or mortgage)
DATED _____. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

29 (4) All sales of real property pursuant to a power of sale contained in any deed
30 of trust or mortgage described in paragraph (1) shall be held in the county where

1 the residence is located and shall be made to the person making the highest offer.
2 The trustee may receive offers during the 10-day period immediately prior to the
3 date of sale and if any offer is accepted in writing by both the trustor or mortgagor
4 and the beneficiary or mortgagee prior to the time set for sale, the sale shall be
5 postponed to a date certain and prior to which the property may be conveyed by
6 the trustor to the person making the offer according to its terms. The offer is
7 revocable until accepted. The performance of the offer, following acceptance,
8 according to its terms, by a conveyance of the property to the offeror, shall operate
9 to terminate any further proceeding under the notice of sale and it shall be deemed
10 revoked.

11 (5) In addition to the trustee fee pursuant to Section 2924c, the trustee or
12 mortgagee pursuant to a deed of trust or mortgage subject to this subdivision shall
13 be entitled to charge an additional fee of fifty dollars (\$50).

14 (6) This subdivision applies only to property on which notices of default were
15 filed on or after the effective date of this subdivision.

16 (d) With respect to residential real property containing no more than four
17 dwelling units, a separate document containing a summary of the notice of sale
18 information in English and the languages described in Section 1632 shall be
19 attached to the notice of sale provided to the mortgagor or trustor pursuant to
20 Section 2923.3.

21 **Comment.** Paragraph (b)(1) is amended to reflect the elimination of former judicial districts as
22 a location for publication of notice. Paragraph (b)(2) of Section 2924f is amended to replace
23 “judicial district” with “public notice district” and refer to the provisions governing publication of
24 notice in a “public notice district.”

25 **Civ. Code § 3440.1 (amended). Exemption of debtor’s conveyance of personal property**
26 **without delivery from fraudulent transfer rules**

27 SEC. ____ . Section 3440.1 of the Civil Code is amended to read:

28 3440.1. This chapter does not apply to any of the following:

29 (a) Things in action.

30 (b) Ships or cargoes if either are at sea or in a foreign port.

31 (c) The sale of accounts, chattel paper, payment intangibles, or promissory notes
32 governed by the Uniform Commercial Code, security interests, and contracts of
33 bottomry or respondentia.

34 (d) Wines or brandies in the wineries, distilleries, or wine cellars of the makers
35 or owners of the wines or brandies, or other persons having possession, care, and
36 control of the wines or brandies, and the pipes, casks, and tanks in which the wines
37 or brandies are contained, if the transfers are made in writing and executed and
38 acknowledged, and if the transfers are recorded in the book of official records in
39 the office of the county recorder of the county in which the wines, brandies, pipes,
40 casks, and tanks are situated.

41 (e) A transfer or assignment made for the benefit of creditors generally or by any
42 assignee acting under an assignment for the benefit of creditors generally.

1 (f) Property exempt from enforcement of a money judgment.

2 (g) Standing timber.

3 (h) Subject to the limitations in Section 3440.3, a transfer of personal property if
4 all of the following conditions are satisfied:

5 (1) Prior to the date of the intended transfer, the transferor or the transferee files
6 a financing statement, with respect to the property transferred, authorized in an
7 authenticated record by the transferor. The financing statement shall be filed in the
8 office of the Secretary of State in accordance with Chapter 5 (commencing with
9 Section 9501) of Division 9 of the Commercial Code, but may use the terms
10 “transferor” in lieu of “debtor” and “transferee” in lieu of “secured party.” The
11 provisions of Chapter 5 (commencing with Section 9501) of Division 9 of the
12 Commercial Code shall apply as appropriate to the financing statement.

13 (2) The transferor or the transferee publishes a notice of the intended transfer
14 one time in a newspaper of general circulation published in the ~~judicial public~~
15 notice district in which the personal property is located, if there is one, and if there
16 is none in the judicial public notice district, then in a newspaper of general
17 circulation in the county embracing the judicial district in which the personal
18 property is located. The publication shall be completed not less than 10 days
19 before the date the transfer occurs. The notice shall contain the name and address
20 of the transferor and transferee and a general statement of the character of the
21 personal property intended to be transferred, and shall indicate the place where the
22 personal property is located and a date on or after which the transfer is to be made.

23 (i) Personal property not located within this state at the time of the transfer or
24 attachment of the lien if the provisions of this subdivision are not used for the
25 purpose of evading this chapter.

26 (j) A transfer of property that (1) is subject to a statute or treaty of the United
27 States or a statute of this state that provides for the registration of transfers of title
28 or issuance of certificates of title and (2) is so far perfected under that statute or
29 treaty that a bona fide purchaser cannot acquire an interest in the property
30 transferred that is superior to the interest of the transferee.

31 (k) A transfer of personal property in connection with a transaction in which the
32 property is immediately thereafter leased by the transferor from the transferee
33 provided the transferee purchased the property for value and in good faith
34 (subdivision (c) of Section 10308 of the Commercial Code).

35 (l) Transition property, as defined in Section 840 of the Public Utilities Code, or
36 recovery property, as defined in Section 848 of the Public Utilities Code.

37 (m) A transfer of property by any governmental entity.

38 (n) For the purposes of this section, notice in a public notice district is governed
39 by Chapter 1.1 (commencing with Section 6080) of Division 7 of Title 1 of the
40 Government Code.

41 **Comment.** Section 3440.1 is amended to replace “judicial district” with “public notice district”
42 and refer to the provisions governing publication of notice in a “public notice district.”

1 **Civ. Code § 3440.5 (amended). Exemption of certain security agreements from fraudulent**
2 **transfer rules**

3 SEC. ____ . Section 3440.5 of the Civil Code is amended to read:

4 3440.5 (a) This chapter does not affect the rights of a secured party who, for
5 value and in good faith, acquires a security interest in the transferred personal
6 property from the transferee, or from the transferee’s successor in interest, if the
7 transferor is no longer in possession of the personal property at the time the
8 security interest attaches.

9 (b) Additionally, except as provided in Section 3440.3, this chapter does not
10 affect the rights of a secured party who acquires a security interest from the
11 transferee, or from the transferee’s successor in interest, in the personal property,
12 if all of the following conditions are satisfied:

13 (1) On or before the date the security agreement is executed, the intended debtor
14 or secured party files a financing statement with respect to the property
15 transferred, signed by the intended debtor. The financing statement shall be filed
16 in the office of the Secretary of State in accordance with Chapter 5 (commencing
17 with Section 9501) of Division 9 of the Commercial Code, but shall use the terms
18 “transferor” in lieu of “debtor,” “transferee” in lieu of “secured party,” and
19 “secured party” in lieu of “assignee of secured party.” The provisions of Chapter 5
20 (commencing with Section 9501) of Division 9 of the Commercial Code shall
21 apply as appropriate to ~~such a~~ the financing statement. For the purpose of
22 indexing, and in any certification of search, the Secretary of State may refer to any
23 financing statement filed pursuant to this paragraph as a financing statement under
24 the Commercial Code and may describe the transferor as a debtor and the
25 transferee as a secured party.

26 ~~Compliance with this paragraph shall, however, not perfect the security interest~~
27 ~~of the secured party. Perfection of such a security interest shall be governed by~~
28 ~~Division 9 (commencing with Section 9101) of the Commercial Code.~~

29 (2) The intended debtor or secured party publishes a notice of the transfer one
30 time in a newspaper of general circulation published in the ~~judicial~~ public notice
31 district in which the personal property is located, if there is one, and if there is
32 none in the ~~judicial~~ public notice district, then in a newspaper of general
33 circulation in the county ~~embracing the judicial district in which the personal~~
34 property is located. The publication shall be completed not less than 10 days
35 before the date of execution by the intended debtor of the intended security
36 agreement. The notice shall contain the names and addresses of the transferor and
37 transferee and of the intended debtor and secured party, a general statement of the
38 character of the personal property transferred and intended to be subject to the
39 security interest, the location of the personal property, and the date on or after
40 which the security agreement is to be executed by the intended debtor.

41 (c) Compliance with paragraph (1) of subdivision (b) shall not perfect the
42 security interest of the secured party. Perfection of that security interest shall be

1 governed by Division 9 (commencing with Section 9101) of the Commercial
2 Code.

3 (d) For the purposes of this section, publication of notice in a public notice
4 district is governed by Chapter 1.1 (commencing with Section 6080) of Division 7
5 of Title 1 of the Government Code.

6 **Comment.** Section 3440.5 is amended to replace “judicial district” with “public notice district”
7 and refer to the provisions governing publication of notice in a “public notice district.”

8 The section is also amended to make technical changes.

9 CODE OF CIVIL PROCEDURE

10 **Code Civ. Proc. § 701.540 (amended). Notice of sale of interest in real property**

11 SEC. ____ . Section 701.540 of the Code of Civil Procedure is amended to read:

12 701.540. (a) Notice of sale of an interest in real property shall be in writing,
13 shall state the date, time, and place of sale, shall describe the interest to be sold,
14 and shall give a legal description of the real property and its street address or other
15 common designation, if any. If the real property has no street address or other
16 common designation, the notice of sale shall include a statement that directions to
17 its location may be obtained from the levying officer upon oral or written request
18 or, in the discretion of the levying officer, the notice of sale may contain directions
19 to its location. Directions are sufficient if information as to the location of the real
20 property is given by reference to the direction and approximate distance from the
21 nearest crossroads, frontage road, or access road. If an accurate legal description
22 of the real property is given, the validity of the notice and sale is not affected by
23 the fact that the street address or other common designation, or directions to its
24 location, are erroneous or omitted.

25 (b) Not less than 20 days before the date of sale, notice of sale of an interest in
26 real property shall be served, mailed, and posted by the levying officer as provided
27 in subdivisions (c), (d), (e), and (f).

28 (c) Notice of sale shall be served on the judgment debtor. Service shall be made
29 personally or by mail.

30 (d) Notice of sale shall be posted in the following places:

31 (1) One public place in the city in which the interest in the real property is to be
32 sold if it is to be sold in a city or, if not to be sold in a city, one public place in the
33 county in which the interest in the real property is to be sold.

34 (2) A conspicuous place on the real property.

35 (e) At the time notice is posted pursuant to paragraph (2) of subdivision (d),
36 notice of sale shall be served or service shall be attempted on one occupant of the
37 real property. Service on the occupant shall be made by leaving the notice with the
38 occupant personally or, in the occupant’s absence, with any person of suitable age
39 and discretion found upon the real property at the time service is attempted who is
40 either an employee or agent of the occupant or a member of the occupant’s
41 household. If the levying officer is unable to serve ~~such~~ an occupant as specified at

1 the time service is attempted, the levying officer is not required to make any
2 further attempts to serve an occupant.

3 (f) If the property described in the notice of sale consists of more than one
4 distinct lot, parcel, or governmental subdivision and any of the lots, parcels, or
5 governmental subdivisions lies with relation to any of the others so as to form one
6 or more continuous, unbroken tracts, only one service pursuant to subdivision (e)
7 and posting pursuant to paragraph (2) of subdivision (d) need be made as to each
8 continuous, unbroken tract.

9 (g) Notice of sale shall be published pursuant to Section 6063 of the
10 Government Code, with the first publication at least 20 days prior to the time of
11 sale, in a newspaper of general circulation published in the city in which the real
12 property or a part thereof is situated if any part thereof is situated in a city or, if
13 not, in a newspaper of general circulation published in the ~~judicial~~ public notice
14 district in which the real property or a part thereof is situated. If no newspaper of
15 general circulation is published in the city or ~~judicial~~ public notice district, notice
16 of sale shall be published in a newspaper of general circulation in the county in
17 which the real property or a part thereof is situated.

18 (h) Not earlier than 30 days after the date of levy, the judgment creditor shall
19 determine the names of all persons having liens on the real property on the date of
20 levy that are of record in the office of the county recorder and shall instruct the
21 levying officer to mail notice of sale to each ~~such person~~ lienholder at the address
22 used by the county recorder for the return of the instrument creating the ~~person's~~
23 lien after recording. The levying officer shall mail notice to each ~~such person~~
24 lienholder, at the address given in the instructions, not less than 20 days before the
25 date of sale.

26 (i) For the purposes of this section, publication of notice in a public notice
27 district is governed by Chapter 1.1 (commencing with Section 6080) of Division 7
28 of Title 1 of the Government Code.

29 **Comment.** Section 701.540 is amended to replace “judicial district” with “public notice
30 district” and refer to the provisions governing publication of notice in a “public notice district.”

31 This section is also amended to make technical changes.

32 COMMERCIAL CODE

33 **Com. Code § 6105 (amended). Notice requirement for bulk sale**

34 SEC. ____. Section 6105 of the Commercial Code is amended to read:

35 6105. ~~In order to comply with subdivision (b) of Section 6104 each of the~~
36 ~~following shall be satisfied:~~

37 (a) ~~The~~ A notice that is governed by this section shall comply with each of the
38 following:

39 (1) State that a bulk sale is about to be made.

1 (2) State the name and business address of the seller together with any other
2 business name and address listed by the seller (subdivision (a) of Section 6104)
3 and the name and business address of the buyer.

4 (3) State the location and general description of the assets.

5 (4) State the place and the anticipated date of the bulk sale.

6 (5) State whether or not the bulk sale is subject to Section 6106.2 and, if so
7 subject, the matters required by subdivision (f) of Section 6106.2.

8 (b) At least 12 business days before the date of the bulk sale, ~~the a~~ notice that is
9 governed by this section shall be:

10 (1) Recorded in the office of the county recorder in the county or counties in this
11 state in which the tangible assets are located and, if different, in the county in
12 which the seller is located (paragraph (2) of subdivision (a) of Section 6103).

13 (2) Published at least once in a newspaper of general circulation published in the
14 ~~judicial public notice~~ district in this state in which the tangible assets are located
15 and in the ~~judicial public notice~~ district, if different, in which the seller is located
16 (paragraph (2) of subdivision (a) of Section 6103), if in either case there is one,
17 and if there is none, then in a newspaper of general circulation in the county in
18 which the ~~judicial public notice~~ district is located. If the tangible assets are located
19 in more than one public notice district in this state, the publication shall be in a
20 newspaper of general circulation published in the public notice district in this state
21 in which a greater portion of the tangible assets are located, on the date the notice
22 is published, than in any other public notice district in this state and, if different, in
23 the public notice district in which the seller is located (paragraph (2) of
24 subdivision (a) of Section 6103).

25 (3) Delivered or sent by registered or certified mail to the county tax collector in
26 the county or counties in this state in which the tangible assets are located. If
27 delivered during the period from January 1 to May 7, inclusive, the notice shall be
28 accompanied by a completed business property statement with respect to property
29 involved in the bulk sale pursuant to Section 441 of the Revenue and Taxation
30 Code.

31 ~~If the tangible assets are located in more than one judicial district in this state,~~
32 ~~the publication required in paragraph (2) shall be in a newspaper of general~~
33 ~~circulation published in the judicial district in this state in which a greater portion~~
34 ~~of the tangible assets are located, on the date the notice is published, than in any~~
35 ~~other judicial district in this state and, if different, in the judicial district in which~~
36 ~~the seller is located (paragraph (2) of subdivision (a) of Section 6103). As used in~~
37 ~~this subdivision, “business day” means any day other than a Saturday, Sunday, or~~
38 ~~day observed as a holiday by the state government.~~

39 (c) For the purposes of this section, publication of notice in a public notice
40 district is governed by Chapter 1.1 (commencing with Section 6080) of Division 7
41 of Title 1 of the Government Code.

42 (d) As used in this section, “business day” means any day other than a Saturday,
43 Sunday, or day observed as a holiday by the state government.

1 **Comment.** Section 6105 is amended to replace “judicial district” with “public notice district”
2 and refer to the provisions governing publication of notice in a “public notice district.”

3 This section is also revised to reflect its application to any notice governed by this section. See,
4 e.g., §§ 6103(c)(9)(iv), 6103(c)(15), 6104(b), 6106.2(f), 6108(a)(3).

5 This section is also amended to make technical changes.

6 GOVERNMENT CODE

7 **Gov’t Code § 6008 (amended). Criteria for establishing standing as newspaper of general** 8 **circulation**

9 SEC. ____ . Section 6008 of the Government Code is amended to read:

10 6008. (a) Notwithstanding any provision of law to the contrary, a newspaper is a
11 “newspaper of general circulation” if it meets all of the following criteria:

12 ~~(a)~~ (1) It is a newspaper published for the dissemination of local or telegraphic
13 news and intelligence of a general character, which has a bona fide subscription
14 list of paying subscribers and has been established and published at regular
15 intervals of not less than weekly in the city, district, or ~~judicial~~ public notice
16 district for which it is seeking adjudication for at least three years preceding the
17 date of adjudication.

18 ~~(b)~~ (2) It has a substantial distribution to paid subscribers in the city, district, or
19 ~~judicial~~ public notice district in which it is seeking adjudication.

20 ~~(c)~~ (3) It has maintained a minimum coverage of local or telegraphic news and
21 intelligence of a general character of not less than 25 percent of its total inches
22 during each year of the three-year period.

23 ~~(d)~~ (4) It has only one principal office of publication and that office is in the
24 city, district, or ~~judicial~~ public notice district for which it is seeking adjudication.

25 (b) For the purposes of Section 6020, a newspaper meeting the criteria of this
26 section which desires to have its standing as a newspaper of general circulation
27 ascertained and established, may, by its publisher, manager, editor, or attorney,
28 file a verified petition in the superior court of the county in which it is established
29 and published.

30 (c) As used in this section:

31 (1) “Established” means in existence under a specified name during the whole of
32 the three-year period, except that a modification of name in accordance with
33 Section 6024, where the modification of name does not substantially change the
34 identity of the newspaper, shall not affect the status of the newspaper for the
35 purposes of this definition.

36 (2) “Published” means issued from the place where the newspaper is sold to or
37 circulated among the people and its subscribers during the whole of the three-year
38 period.

39 (3) “Public notice district” means a public notice district described in Chapter
40 1.1 (commencing with Section 6080).

41 **Comment.** Section 6008 is amended to replace “judicial district” with “public notice district”
42 and refer to the Government Code provisions describing public notice districts.

1 This section is also amended to make technical changes.

2 **Heading of Article 2 (commencing with Section 71042.5) (amended)**

3 SEC. _____. The heading of Article 2 (commencing with Section 70142.5) of
4 Chapter 6 of Title 8 of the Government Code is amended to read:

5 Article 2: ~~Preservation of~~ Judicial Districts

6 **Gov't Code § 71042.5 (repealed). Preservation of judicial districts for purpose of
7 publication**

8 SEC. _____. Section 70142.5 of the Government Code is repealed.

9 **Comment.** Section 71042.5 is repealed. The former judicial districts designated for the
10 publication of notice are replaced with public notice districts. See Gov't Code §§ 6080-6085.670.

11 **Note.** The text of the repealed section is set forth below.

12 71042.5. Notwithstanding any other provision of law, where judicial districts in a county have
13 been consolidated, or where the municipal and superior courts in a county have unified, the
14 territory embraced within the respective prior component judicial districts shall be separate
15 judicial districts for the purpose of publication within a judicial district.

16 **Gov't Code § 71042.6 (repealed). Map to establish district boundaries**

17 SEC. _____. Section 70142.6 of the Government Code is repealed.

18 **Comment.** Section 71042.6 is repealed. The former judicial districts designated for the
19 publication of notice are replaced with public notice districts. See Gov't Code §§ 6080-6085.670.

20 **Note.** The text of the repealed section is set forth below.

21 71042.6. For the purpose of establishing boundaries under Section 71042.5, a map approved by
22 the county surveyor shall be kept on file with the county recorder showing the boundaries of all
23 consolidated or unified districts and component districts as of the date of consolidation or
24 unification. The map shall be conclusively presumed to be accurate and may be used in evidence
25 in any proceeding involving application of Section 71042.5.

26 **REVENUE AND TAXATION CODE**

27 **Rev. & Tax. Code § 3381 (amended). Alternate means of notice of intent to sell property of
28 delinquent taxpayer**

29 SEC. _____. Section 3381 of the Revenue and Taxation Code is amended to read:

30 3381. (a) In each county where the tax collector or, if the county is a chartered
31 county, the board of supervisors determines that the public interest, convenience
32 and necessity require the local publication of the delinquent list required by
33 Section 3371, or the published notice of power and intent to sell required by
34 Section 3361, in order to afford adequate notice, all items required to be published
35 shall be published as provided in this article.

36 (b) After the determination, the tax collector or, if the county is a chartered
37 county, the board of supervisors shall divide and distribute the items to be
38 published and cause the same to be published either within (a) (1) the municipal

1 corporations, ~~(b)~~ (2) the elementary, high school, or junior college districts, ~~(c)~~ (3)
2 the supervisorial districts, ~~(d)~~ ~~judicial districts~~ (4) public notice districts described
3 in Chapter 1.1 (commencing with Section 6080) of Division 7 of Title 1 of the
4 Government Code, ~~(e)~~ (5) tax districts, areas included in map books, or tax code
5 areas, or ~~(f)~~ (6) by any annexation or annexations of same, or any combination of
6 same, or any combination of those districts, annexations, areas included in map
7 books, and code areas, within the county as they shall determine most likely to
8 afford adequate notice to owners of the property.

9 (c) Except as provided in this article, the publication shall be in the same manner
10 as provided in Article 1.7 (commencing with Section 3371).

11 (d) The publication provided for in this article shall be made once a week for
12 two successive weeks in a newspaper or newspapers of general circulation. The
13 publication shall be made in a newspaper published not less frequently than once a
14 week.

15 **Comment.** Section 3381 is amended to replace “judicial district” with “public notice district”
16 and refer to the Government Code provisions governing publication of notice in a “public notice
17 district.”

18 This section is also amended to add subdivision designations and make other technical
19 changes.

20 **Rev. & Tax. Code § 3702 (amended). Means of notice of intended sale of property of**
21 **delinquent taxpayer**

22 SEC. ____ . Section 3702 of the Revenue and Taxation Code is amended to read:

23 3702. (a) The tax collector shall publish the notice of intended sale once a week
24 for three successive weeks in a newspaper of general circulation published in the
25 county seat and in a newspaper of general circulation published in the ~~judicial~~
26 public notice district in which the property is situated. If the same newspaper of
27 general circulation is published in both the county seat and in ~~such the public~~
28 notice district, or if the publication of the notice of sale is made in a newspaper
29 which is determined pursuant to Section 3381 as most likely to afford adequate
30 notice of the sale, a publication in ~~such that~~ paper shall satisfy the requirements for
31 publication set forth in this section. If there is no newspaper of general circulation
32 published in the county seat ~~or in the judicial district~~, then publication may be
33 made by posting notice in three public places in the county seat ~~or in the judicial~~
34 district, as the case may be, where no such newspaper is published. If there is no
35 newspaper of general circulation published in the public notice district, then
36 publication may be made by posting notice in three public places in the area of the
37 property. The publication shall be started not less than 21 days prior to the date of
38 the sale.

39 (b) For the purposes of this section, publication of notice in a public notice
40 district is governed by Chapter 1.1 (commencing with Section 6080) of Division 7
41 of Title 1 of the Government Code.

42 **Comment.** Section 3702 is amended to replace “judicial district” with “public notice district”
43 and refer to the provisions governing publication of notice in a “public notice district.”

1 This section is also amended to make technical changes.

2 **Rev. & Tax. Code § 3703 (amended). Alternate means of notice if property is lower in value**
3 **than cost of publication**

4 SEC. ____ . Section 3703 of the Revenue and Taxation Code is amended to read:

5 3703. If in the judgment of the board of supervisors any property to be sold
6 under this chapter will bring at auction less than the cost of publication in a
7 newspaper, the publication of the notice of intended sale may be made in the same
8 manner as if there were no newspaper published in the county seat or in the
9 ~~judicial~~ public notice district.

10 **Comment.** Section 3703 is amended to replace “judicial district” with “public notice district.”
