

TEXT OF COMMENTS TO SECTIONS AFFECTED BY
2004 COMMISSION RECOMMENDATIONS

CLRC Staff Note. This document sets out the text of Official Comments to six Commission-sponsored bills enacted in the 2004 legislative session — 2004 Cal. Stat. chs. 49, 178, 182, 193, 346, and 754. The source for each Comment is given in the accompanying Table of Sections Affected by 2004 Commission Legislation.

Some sections in Commission recommendations were not included in the final version of enacted bills. Comments to those sections are not included below.

Other sections were superseded by other bills (“chaptered out”). The Comments below do not include Comments to sections that were known to have been chaptered out, pursuant to the August 28, 2004, table of sections affected prepared by the California Legislative Counsel.

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Business and Professions Code 1

Bus. & Prof. Code § 29 (amended). Chemical dependency training 1

Bus. & Prof. Code § 2873.7 (repealed). Recruitment and retention of medical assistants 1

Bus. & Prof. Code § 4866 (amended). Diversion program 1

Bus. & Prof. Code § 6086.12 (repealed). Workload of State Bar Court 1

Bus. & Prof. Code § 6095 (amended). Bar procedures 1

Bus. & Prof. Code § 6140.2 (amended). Attorney discipline 1

Bus. & Prof. Code § 6202 (amended). Disclosure of attorney-client communication or attorney
work product 1

Bus. & Prof. Code § 9889.60 (repealed). Auto body repair committee 1

Bus. & Prof. Code § 9889.62 (repealed). Auto body repair report 1

Bus. & Prof. Code § 9889.64 (repealed). Auto body repair definitions 1

Bus. & Prof. Code § 17083 (amended). Deposition and production of documents 1

Bus. & Prof. Code § 17550.47 (amended). Claim filed with Travel Consumer Restitution
Corporation 2

Bus. & Prof. Code § 17912 (amended). Real estate investment trusts 2

Civil Code 2

Civ. Code § 47 (amended). Privileged publication or broadcast 2

Civ. Code § 1354 (amended). Enforcement of governing documents 2

Civ. Code § 1357.120 (amended). Scope of operating rule requirements 3

Civ. Code § 1363.810 (added). Scope of article 3

Civ. Code § 1363.820 (added). Fair, reasonable, and expeditious dispute resolution procedure
required 3

Civ. Code § 1363.830 (added). Minimum requirements of association procedure 3

Civ. Code § 1363.840 (added). Default meet and confer procedure 3

Civ. Code § 1368.3 (added). Association standing 4

Civ. Code § 1368.4 (added). Comparative fault as affirmative defense 4

Civ. Code § 1368.4 (amended and renumbered). Notice of civil action 4

Civ. Code § 1369.510 (added). Definitions 4

Civ. Code § 1369.520 (added). ADR prerequisite to enforcement action 4

Civ. Code § 1369.530. (added) Request for resolution 5

Civ. Code § 1369.540 (added). ADR process 5

Civ. Code § 1369.550 (added). Tolling of statute of limitations	5
Civ. Code § 1369.560 (added). Certification of efforts to resolve dispute	5
Civ. Code § 1369.570 (added). Stay of litigation for dispute resolution	5
Civ. Code § 1369.580 (added). Attorney’s fees	6
Civ. Code § 1369.590 (added). Member information	6
Civ. Code § 1373 (amended). Nonresidential developments	6
Civ. Code § 1378 (added). Procedure for decision on proposed physical change to property	6
Civ. Code §§ 1812.40-1812.41 (repealed). Retail Credit Advisory Committee	7
Code of Civil Procedure	7
Code Civ. Proc. § 93 (amended). Case questionnaire	7
Code Civ. Proc. § 94 (amended). Discovery in economic litigation case	7
Code Civ. Proc. § 116.310 (amended). Pleading and discovery in small claims action	7
Code Civ. Proc. § 116.770 (amended). Hearing on appeal in small claims action	8
Code Civ. Proc. § 259 (amended). Court commissioners	8
Code Civ. Proc. § 383 (repealed). Civil action brought by association	8
Code Civ. Proc. § 395.2 (amended). Place of trial in action against unincorporated association	8
Code Civ. Proc. § 416.40 (amended). Service on unincorporated association	8
Code Civ. Proc. § 437c (amended). Summary judgment motion	8
Code Civ. Proc. § 485.230 (amended). Discovery where court has issued right to attach order	8
Code Civ. Proc. § 529.1 (amended). Construction project enjoined	9
Code Civ. Proc. § 708.020 (amended). Written interrogatories propounded by judgment creditor	9
Code Civ. Proc. § 708.030 (amended). Demand for production of documents and other discovery by judgment creditor	9
Code Civ. Proc. § 1141.16 (amended). Determination of amount in controversy, review of prayer for equitable relief, and timing of arbitration hearing	9
Code Civ. Proc. § 1141.24 (amended). Prohibition of discovery after arbitration award	9
Code Civ. Proc. § 1283.05 (amended). Discovery in arbitration proceeding	9
Code Civ. Proc. § 1775.11 (amended). Discovery by parties participating in mediation	9
Code Civ. Proc. § 1985.3 (amended). Personal records of consumer	9
Code Civ. Proc. § 1987.5 (amended). Effect of subpoena	9
Code Civ. Proc. § 1991.1 (amended). Disobedience of deposition subpoena or refusal to be sworn at deposition	9
Code Civ. Proc. §§ 2016-2036 (repealed). Discovery	9
Code Civ. Proc. § 2016.010 (added). Short title	9
Code Civ. Proc. § 2016.020 (added). Definitions	10
Code Civ. Proc. § 2016.030 (added). Written stipulation regarding deposition or other discovery	10
Code Civ. Proc. § 2016.040 (added). Meet and confer declaration	10
Code Civ. Proc. § 2016.050 (added). Service by mail	10
Code Civ. Proc. § 2016.060 (added). Computation of time when last day falls on Saturday, Sunday, or holiday	10
Code Civ. Proc. § 2016.070 (added). Application of title to discovery in aid of enforcement of money judgment	10
Code Civ. Proc. § 2017.010 (added). Scope of discovery	10
Code Civ. Proc. § 2017.020 (added). Court order limiting scope of discovery	10
Code Civ. Proc. § 2017.210 (added). Discovery of insurance coverage	10
Code Civ. Proc. § 2017.220 (added). Discovery concerning plaintiff’s sexual conduct	10
Code Civ. Proc. § 2017.310 (added). Confidential settlement agreement disfavored	11
Code Civ. Proc. § 2017.320 (added). Information protected from disclosure by stipulated protective order	11
Code Civ. Proc. § 2017.710 (added). “Technology” defined	11
Code Civ. Proc. § 2017.720 (added). Effect of chapter	11
Code Civ. Proc. § 2017.730 (added). Use of technology in conducting discovery in complex case	11

Code Civ. Proc. § 2017.740 (added). Use of service provider	11
Code Civ. Proc. § 2018.010 (added). “Client” defined	11
Code Civ. Proc. § 2018.020 (added). Policy underlying work product privilege	11
Code Civ. Proc. § 2018.030 (added). Discovery of attorney work product	11
Code Civ. Proc. § 2018.040 (added). Effect of chapter	11
Code Civ. Proc. § 2018.050 (added). Lawyer suspected of knowingly participating in crime or fraud	12
Code Civ. Proc. § 2018.060 (added). In camera hearing	12
Code Civ. Proc. § 2018.070 (added). Discovery of attorney work product by State Bar	12
Code Civ. Proc. § 2018.080 (added). Action between attorney and client or former client	12
Code Civ. Proc. § 2019.010 (added). Methods of discovery	12
Code Civ. Proc. § 2019.020 (added). Sequence of discovery	12
Code Civ. Proc. § 2019.030 (added). Restriction on use of discovery method	12
Code Civ. Proc. § 2019.210 (added). Timing of discovery relating to trade secret	12
Code Civ. Proc. § 2020.010 (added). Method and process for obtaining discovery from nonparty	12
Code Civ. Proc. § 2020.020 (added). Types of deposition subpoenas	12
Code Civ. Proc. § 2020.030 (added). Application of other code provisions	13
Code Civ. Proc. § 2020.210 (added). Issuance of deposition subpoena	13
Code Civ. Proc. § 2020.220 (added). Service of deposition subpoena	13
Code Civ. Proc. § 2020.230 (added). Witness fee	13
Code Civ. Proc. § 2020.240 (added). Sanctions for disobedience of deposition subpoena	13
Code Civ. Proc. § 2020.310 (added). Subpoena commanding only attendance and testimony of deponent	13
Code Civ. Proc. § 2020.410 (added). Subpoena commanding only production of business records for copying	13
Code Civ. Proc. § 2020.420 (added). Officer for deposition seeking only production of business records	13
Code Civ. Proc. § 2020.430 (added). Compliance with subpoena commanding only production of business records	13
Code Civ. Proc. § 2020.440 (added). Duties of deposition officer	14
Code Civ. Proc. § 2020.510 (added). Subpoena commanding both production of business records and attendance and testimony of deponent	14
Code Civ. Proc. § 2023.010 (added). Misuses of discovery process	14
Code Civ. Proc. § 2023.020 (added). Sanctions for failure to confer as required	14
Code Civ. Proc. § 2023.030 (added). Other sanctions for misuse of discovery	14
Code Civ. Proc. § 2023.040 (added). Content of request for sanction	14
Code Civ. Proc. § 2024.010 (added). Completion of discovery	14
Code Civ. Proc. § 2024.020 (added). Discovery cutoff	14
Code Civ. Proc. § 2024.030 (added). Discovery cutoff for expert witness	15
Code Civ. Proc. § 2024.040 (added). Exceptions to discovery cutoff	15
Code Civ. Proc. § 2024.050 (added). Motion to extend or reopen discovery	15
Code Civ. Proc. § 2024.060 (added). Agreement extending discovery cutoff	15
Code Civ. Proc. § 2025.010 (added). Oral deposition inside California	15
Code Civ. Proc. § 2025.210 (added). Time of service of deposition notice	15
Code Civ. Proc. § 2025.220 (added). Content of deposition notice	15
Code Civ. Proc. § 2025.230 (added). Notice to deponent other than natural person	15
Code Civ. Proc. § 2025.240 (added). Service of deposition notice and related documents	16
Code Civ. Proc. § 2025.250 (added). Place of deposition	16
Code Civ. Proc. § 2025.260 (added). Motion to require party to attend deposition at more distant place	16
Code Civ. Proc. § 2025.270 (added). Time of taking oral deposition	16
Code Civ. Proc. § 2025.280 (added). Effect of deposition notice	16
Code Civ. Proc. § 2025.310 (added). Deposition by remote electronic means	17
Code Civ. Proc. § 2025.320 (added). Deposition officer	17

Code Civ. Proc. § 2025.330 (added). Conduct of deposition	17
Code Civ. Proc. § 2025.340 (added). Deposition recorded by audio or video technology	17
Code Civ. Proc. § 2025.410 (added). Noncompliance with requirements for deposition notice	18
Code Civ. Proc. § 2025.420 (added). Motion for protective order	18
Code Civ. Proc. § 2025.430 (added). Sanctions where party giving notice of deposition fails to attend or proceed	18
Code Civ. Proc. § 2025.440 (added). Sanctions where nonparty deponent fails to appear	18
Code Civ. Proc. § 2025.450 (added). Sanctions where party deponent fails to appear	18
Code Civ. Proc. § 2025.460 (added). Waiver of error or irregularity	18
Code Civ. Proc. § 2025.470 (added). Suspension of deposition	19
Code Civ. Proc. § 2025.480 (added). Motion to compel	19
Code Civ. Proc. § 2025.510 (added). Transcription of testimony	19
Code Civ. Proc. § 2025.520 (added). Deponent’s review of transcript	19
Code Civ. Proc. § 2025.530 (added). Deponent’s review of recording	20
Code Civ. Proc. § 2025.540 (added). Certification of transcript	20
Code Civ. Proc. § 2025.550 (added). Sealing of transcript	20
Code Civ. Proc. § 2025.560 (added). Sealing of audio or video record	20
Code Civ. Proc. § 2025.570 (added). Copy of transcript, audio recording, or video recording for nonparty	20
Code Civ. Proc. § 2025.610 (added). Subsequent deposition of same deponent	20
Code Civ. Proc. § 2025.620 (added). Use of deposition testimony	21
Code Civ. Proc. § 2026.010 (added). Oral deposition in another state or territory of the United States	21
Code Civ. Proc. § 2027.010 (added). Oral deposition in foreign nation	21
Code Civ. Proc. § 2028.010 (added). Deposition by written questions	21
Code Civ. Proc. § 2028.020 (added). Notice of written deposition	21
Code Civ. Proc. § 2028.030 (added). Direct, cross, redirect, and recross questions	21
Code Civ. Proc. § 2028.040 (added). Objections	22
Code Civ. Proc. § 2028.050 (added). Objection based on privilege	22
Code Civ. Proc. § 2028.060 (added). Preview of questions	22
Code Civ. Proc. § 2028.070 (added). Court order	22
Code Civ. Proc. § 2028.080 (added). Duties of deposition officer	22
Code Civ. Proc. § 2029.010 (added). Deposition in action pending outside California	22
Code Civ. Proc. § 2030.010 (added). Written interrogatories to a party	22
Code Civ. Proc. § 2030.020 (added). Time of propounding interrogatories	22
Code Civ. Proc. § 2030.030 (added). Number of interrogatories	22
Code Civ. Proc. § 2030.040 (added). Extra interrogatories	23
Code Civ. Proc. § 2030.050 (added). Declaration in support of extra interrogatories	23
Code Civ. Proc. § 2030.060 (added). Form and contents of interrogatories	23
Code Civ. Proc. § 2030.070 (added). Supplemental interrogatories	23
Code Civ. Proc. § 2030.080 (added). Service of interrogatories	23
Code Civ. Proc. § 2030.090 (added). Motion for protective order	23
Code Civ. Proc. § 2030.210 (added). Form of response to interrogatories	23
Code Civ. Proc. § 2030.220 (added). Completeness of response	23
Code Civ. Proc. § 2030.230 (added). Answer necessitating preparation of compilation, abstract, audit, or summary	24
Code Civ. Proc. § 2030.240 (added). Objection to interrogatory	24
Code Civ. Proc. § 2030.250 (added). Signing of response to interrogatories	24
Code Civ. Proc. § 2030.260 (added). Service of response to interrogatories	24
Code Civ. Proc. § 2030.270 (added). Agreement to extend time for service of response	24
Code Civ. Proc. § 2030.280 (added). Retention of original interrogatories and original response	24
Code Civ. Proc. § 2030.290 (added). Failure to serve timely response	24
Code Civ. Proc. § 2030.300 (added). Motion to compel further response	24
Code Civ. Proc. § 2030.310 (added). Amended answer to interrogatory	25

Code Civ. Proc. § 2030.410 (added). Use of interrogatory answer	25
Code Civ. Proc. § 2031.010 (added). Inspection and production of documents, tangible things, land, and other property	25
Code Civ. Proc. § 2031.020 (added). Time of making inspection demand	25
Code Civ. Proc. § 2031.030 (added). Form of inspection demand	25
Code Civ. Proc. § 2031.040 (added). Service of inspection demand	25
Code Civ. Proc. § 2031.050 (added). Supplemental inspection demand	25
Code Civ. Proc. § 2031.060 (added). Motion for protective order	26
Code Civ. Proc. § 2031.210 (added). Response to inspection demand	26
Code Civ. Proc. § 2031.220 (added). Statement of compliance with inspection demand	26
Code Civ. Proc. § 2031.230 (added). Representation of inability to comply with inspection demand	26
Code Civ. Proc. § 2031.240 (added). Objection to inspection demand	26
Code Civ. Proc. § 2031.250 (added). Signing of response to inspection demand	26
Code Civ. Proc. § 2031.260 (added). Service of response to inspection demand	26
Code Civ. Proc. § 2031.270 (added). Agreement to extend time for service of response	26
Code Civ. Proc. § 2031.280 (added). Manner of production	26
Code Civ. Proc. § 2031.290 (added). Retention of original inspection demand and original response	27
Code Civ. Proc. § 2031.300 (added). Failure to serve timely response	27
Code Civ. Proc. § 2031.310 (added). Motion to compel further response to inspection demand	27
Code Civ. Proc. § 2031.320 (added). Motion to compel compliance with inspection demand	27
Code Civ. Proc. § 2031.510 (added). Disclosure of written evidence relating to land boundary or validity of state patent or grant	27
Code Civ. Proc. § 2032.010 (added). Effect of chapter	27
Code Civ. Proc. § 2032.020 (added). Physical or mental examination	28
Code Civ. Proc. § 2032.210 (added). “Plaintiff” and “defendant” defined.	28
Code Civ. Proc. § 2032.220 (added). Demand for physical examination of personal injury plaintiff	28
Code Civ. Proc. § 2032.230 (added). Response to demand for physical examination of personal injury plaintiff	28
Code Civ. Proc. § 2032.240 (added). Failure to respond to demand for physical examination of personal injury plaintiff	28
Code Civ. Proc. § 2032.250 (added). Motion to compel compliance with demand for physical examination after receiving response of personal injury plaintiff	28
Code Civ. Proc. § 2032.260 (added). Retention of original demand for physical examination and original response	28
Code Civ. Proc. § 2032.310 (added). Motion for physical or mental examination.	29
Code Civ. Proc. § 2032.320 (added). Order on motion for physical or mental examination	29
Code Civ. Proc. § 2032.410 (added). Failure to submit to physical or mental examination	29
Code Civ. Proc. § 2032.420 (added). Failure to produce another for physical or mental examination	29
Code Civ. Proc. § 2032.510 (added). Observation of examination by attorney or representative	29
Code Civ. Proc. § 2032.520 (added). X-rays	29
Code Civ. Proc. § 2032.530 (added). Recording of mental examination	29
Code Civ. Proc. § 2032.610 (added). Delivery of reports to examinee or party who produced examinee.	30
Code Civ. Proc. § 2032.620 (added). Failure to deliver reports to examinee or party who produced examinee	30
Code Civ. Proc. § 2032.630 (added). Waiver	30
Code Civ. Proc. § 2032.640 (added). Exchange of other reports	30
Code Civ. Proc. § 2032.650 (added). Failure to exchange other reports	30
Code Civ. Proc. § 2033.010 (added). Request for admissions.	30
Code Civ. Proc. § 2033.020 (added). Time of making request for admissions	30

Code Civ. Proc. § 2033.030 (added). Number of requests for admission	30
Code Civ. Proc. § 2033.040 (added). Extra requests for admission	31
Code Civ. Proc. § 2033.050 (added). Declaration in support of extra requests for admission	31
Code Civ. Proc. § 2033.060 (added). Form of request for admissions	31
Code Civ. Proc. § 2033.070 (added). Service of request for admissions	31
Code Civ. Proc. § 2033.080 (added). Motion for protective order	31
Code Civ. Proc. § 2033.210 (added). Response to request for admissions	31
Code Civ. Proc. § 2033.220 (added). Answer to request for admission	31
Code Civ. Proc. § 2033.230 (added). Objection to request for admission	32
Code Civ. Proc. § 2033.240 (added). Signing of response to request for admissions	32
Code Civ. Proc. § 2033.250 (added). Service of response to request for admissions	32
Code Civ. Proc. § 2033.260 (added). Agreement to extend time for service of response	32
Code Civ. Proc. § 2033.270 (added). Retention of original request for admissions and original response	32
Code Civ. Proc. § 2033.280 (added). Failure to serve timely response	32
Code Civ. Proc. § 2033.290 (added). Motion to compel further response	32
Code Civ. Proc. § 2033.300 (added). Withdrawal or amendment of admission	33
Code Civ. Proc. § 2033.410 (added). Effect of admission	33
Code Civ. Proc. § 2033.420 (added). Failure to admit fact proven to be true	33
Code Civ. Proc. § 2033.710 (added). Judicial Council to develop form interrogatories and requests for admission	33
Code Civ. Proc. § 2033.720 (added). Form interrogatories for use by victim who has not received complete payment of restitution order	33
Code Civ. Proc. § 2033.730 (added). Procedures for development of form interrogatories and requests for admission	33
Code Civ. Proc. § 2033.740 (added). Procedures for use of form interrogatories and requests for admission	33
Code Civ. Proc. § 2034.010 (added). Application of chapter	33
Code Civ. Proc. § 2034.210 (added). Simultaneous exchange of information concerning expert trial witnesses	34
Code Civ. Proc. § 2034.220 (added). Time of demanding exchange of expert witness information	34
Code Civ. Proc. § 2034.230 (added). Form and content of demand for exchange of expert witness information	34
Code Civ. Proc. § 2034.240 (added). Service of demand for exchange of expert witness information	34
Code Civ. Proc. § 2034.250 (added). Motion for protective order	34
Code Civ. Proc. § 2034.260 (added). Manner of exchanging expert witness information	34
Code Civ. Proc. § 2034.270 (added). Exchange of reports and writings	34
Code Civ. Proc. § 2034.280 (added). Supplemental expert witness list	35
Code Civ. Proc. § 2034.290 (added). Retention of original demand for exchange of expert witness information and original response	35
Code Civ. Proc. § 2034.300 (added). Exclusion of expert opinion	35
Code Civ. Proc. § 2034.310 (added). Calling expert not previously designated	35
Code Civ. Proc. § 2034.410 (added). Deposition of expert witness	35
Code Civ. Proc. § 2034.420 (added). Place of expert witness deposition	35
Code Civ. Proc. § 2034.430 (added). Fee for deposing expert witness	35
Code Civ. Proc. § 2034.440 (added). Other fees associated with deposition of expert witness	35
Code Civ. Proc. § 2034.450 (added). Process for payment of fee for deposing expert witness	35
Code Civ. Proc. § 2034.460 (added). Production of expert	36
Code Civ. Proc. § 2034.470 (added). Motion to set compensation of expert	36
Code Civ. Proc. § 2034.610 (added). Motion to augment or amend expert witness list or declaration	36

Code Civ. Proc. § 2034.620 (added). Order on motion to augment or amend expert witness list or declaration	36
Code Civ. Proc. § 2034.630 (added). Monetary sanction for unsuccessfully making or opposing motion to augment or amend expert witness information	36
Code Civ. Proc. § 2034.710 (added). Motion to submit tardy expert witness information	36
Code Civ. Proc. § 2034.720 (added). Order on motion to submit tardy expert witness information	37
Code Civ. Proc. § 2034.730 (added). Monetary sanction for unsuccessfully making or opposing motion to submit tardy expert witness information	37
Code Civ. Proc. § 2035.010 (added). Perpetuation of testimony or preservation of evidence before filing action	37
Code Civ. Proc. § 2035.020 (added). Methods of discovery	37
Code Civ. Proc. § 2035.030 (added). Petition	37
Code Civ. Proc. § 2035.040 (added). Service of notice of petition	37
Code Civ. Proc. § 2035.050 (added). Court order	37
Code Civ. Proc. § 2035.060 (added). Use of presuit deposition to perpetuate testimony	38
Code Civ. Proc. § 2036.010 (added). Perpetuation of testimony or preservation of information pending appeal	38
Code Civ. Proc. § 2036.020 (added). Methods of discovery	38
Code Civ. Proc. § 2036.030 (added). Motion for leave to conduct discovery pending appeal	38
Code Civ. Proc. § 2036.040 (added). Court order	38
Code Civ. Proc. § 2036.050 (added). Use of deposition to perpetuate testimony pending appeal	38
Code Civ. Proc. § 2093 (amended). Authority to administer oath or affirmation	38
Corporations Code	38
Corp. Code § 174.5 (amended). “Other business entity” defined	38
Corp. Code § 5063.5 (amended). “Other business entity” defined	38
Corp. Code § 12242.5 (amended). “Other business entity” defined	38
Corp. Code § 15800 (amended). Designation of agent for service of process	38
Corp. Code § 16309 (added). Designation of agent for service of process	39
Corp. Code § 16310 (added). Service of process on designated agent	39
Corp. Code § 18000 (added). Application of definitions	39
Corp. Code § 18005 (added). Director	39
Corp. Code § 18010 (added). Governing principles	39
Corp. Code § 18015 (added). Member	39
Corp. Code § 18020 (added). Nonprofit association	39
Corp. Code § 18025 (added). Officer	39
Corp. Code § 18030 (added). Person	40
Corp. Code § 18035 (added). Unincorporated association	40
Corp. Code § 18055 (added). Exempt persons	40
Corp. Code § 18060 (added). Relation to other law	40
Corp. Code § 18065 (added). Relation to law of agency	40
Corp. Code § 18070 (added). Continuation and restatement of prior law	40
Corp. Code § 18100 (added). Membership interest is personal property	40
Corp. Code § 18105 (added). Property powers	40
Corp. Code § 18110 (added). Association property	41
Corp. Code § 18115 (added). Execution of real property acquisition, transfer, or encumbrance.	41
Corp. Code § 18120 (added). Statement of authority	41
Corp. Code § 18125 (added). Limit on assertion of unauthorized action	41
Corp. Code § 18130 (added). Disposition of assets of dissolved association	41
Corp. Code § 18135 (added). Recovery of distributed assets	42
Corp. Code § 18200 (added). Statement of unincorporated association	42
Corp. Code § 18205 (added). Numbering, filing, and indexing of statements	42
Corp. Code § 18210 (added). Revocation or resignation of agency	42

Corp. Code § 18215 (added). Notice of expiration	42
Corp. Code § 18220 (added). Service of process on unincorporated associations in certain cases	42
Corp. Code § 18250 (added). Liability of unincorporated association	42
Corp. Code § 18260 (added). Enforcement of money judgment against unincorporated association	43
Corp. Code § 18270 (added). Enforcement of judgment against member, officer, or agent	43
Corp. Code § 18605 (added). No liability based solely on membership or agency	43
Corp. Code § 18610 (added). Contract liability of member of nonprofit association	43
Corp. Code § 18615 (added). Contract liability of director, officer, or agent of nonprofit association	44
Corp. Code § 18630 (added). Application of alter ego doctrine to nonprofit association	44
Corp. Code § 18640 (added). Fraudulent transfers	45
Corp. Code § 21200 (amended). Nonprofit medical association	45
Corp. Code § 24000 (repealed). Definitions	45
Corp. Code § 24001 (repealed). Liability	45
Corp. Code § 24002 (repealed). Enforcement of money judgment	45
Corp. Code § 24003 (repealed). Statement of unincorporated association	45
Corp. Code § 24004 (repealed). Numbering, filing, and indexing of statements	45
Corp. Code § 24005 (repealed). Revocation or resignation of agency	45
Corp. Code § 24006 (repealed). Notice of expiration	46
Corp. Code § 24007 (repealed). Service of process on unincorporated association in certain cases	46
Education Code	46
Educ. Code § 45312 (amended). Hearing or investigation conducted by hearing officer or other representative	46
Educ. Code § 62000 (amended). “Sunset” and “sunset date” defined	46
Educ. Code § 71027 (amended). Common course numbering system	46
Educ. Code § 71051 (amended). Collaborative facilities projects	46
Educ. Code § 87675 (amended). Arbitration procedure	46
Educ. Code § 87679 (amended). Proceedings conducted by administrative law judge	46
Educ. Code § 88131 (amended). Hearing or investigation conducted by hearing officer or other representative	46
Educ. Code § 89343 (amended). Foster youth	46
Educ. Code § 92640 (amended). Accommodation of religious creed	46
Evidence Code	47
Evid. Code § 915 (amended). Disclosure of privileged information or attorney work product in ruling on claim of privilege	47
Evid. Code § 1156 (amended). Records of medical or dental study of in-hospital staff committee	47
Evid. Code § 1156.1 (amended). Records of medical or psychiatric study of quality assurance committee	47
Family Code	47
Fam. Code § 3110.5 (amended). Child custody evaluator	47
Fam. Code § 3200 (amended). Supervised visitation	47
Fam. Code § 3666 (amended). Enforcement of article	47
Fam. Code § 4331 (amended). Examination by vocational training counselor	47
Fam. Code § 20025 (repealed). San Mateo County pilot project	47
Fam. Code § 20042 (repealed). Santa Clara County pilot project	47
Fish and Game Code	48
Fish & Game Code § 309 (amended). Procedure	48
Fish & Game Code § 715 (repealed). National Wildlife Violator Compact	48
Fish & Game Code § 5934 (amended). Deposition	48

Fish & Game Code § 15602 (repealed). Spawning, incubation, or raising of anadromous fish in Smith River watershed	48
Fish & Game Code § 15603 (repealed). Study of anadromous fish	48
Food and Agricultural Code	48
Food & Agric. Code § 5029 (amended). Pesticide information program	48
Food & Agric. Code § 13124 (repealed). Pesticide reports	48
Food & Agric. Code § 13125 (repealed). Pesticide reports	48
Food & Agric. Code § 13127 (amended). Pesticide active ingredients	48
Food & Agric. Code § 42814 (repealed). Standardization inspection and enforcement programs	48
Food & Agric. Code § 58509 (amended). Food bank programs	49
Government Code	49
Gov't Code § 6276.04 (amended). "Aeronautics Act" to "Avocado handler transaction records"	49
Gov't Code § 6276.12 (amended). Exemption list	49
Gov't Code § 6276.30 (amended). Exemption list	49
Gov't Code § 6276.46 (amended). Exemption list	49
Gov't Code § 8293 (amended). California Law Revision Commission	49
Gov't Code § 8588.5 (amended). Disaster dog teams	49
Gov't Code § 8593.3 (repealed). Communication with deaf and hearing-impaired persons during emergencies	49
Gov't Code § 8599.1 (repealed). Use of volunteers during emergency	49
Gov't Code § 8870.75 (repealed). Earthquake study	49
Gov't Code § 8875.1 (amended). Potentially hazardous buildings	49
Gov't Code § 8877.7 (repealed). Findings and recommendations of Seismic Safety Commission	50
Gov't Code § 9116 (repealed). Project feasibility study	50
Gov't Code § 9121 (amended). Construction of article	50
Gov't Code § 11011.15 (amended). Inventory of state real property holdings	50
Gov't Code § 11011.19 (repealed). Report on inventory of state real property holdings	50
Gov't Code § 11045 (amended). Procedure for request by state agency to employ outside counsel	50
Gov't Code § 11187 (amended). Refusal to provide requested discovery	50
Gov't Code § 11189 (amended). Deposition and attendance of witness	50
Gov't Code § 11511 (amended). Deposition on verified petition	50
Gov't Code § 12092 (amended). California Low Income Home Energy Assistance Program	50
Gov't Code § 12173 (amended). Electronic voter information	50
Gov't Code § 14036.6 (amended). California rail pass	50
Gov't Code § 14525.6 (repealed). Allocation and expenditure of transportation funds	51
Gov't Code § 15814.25 (amended). Energy conservation in elementary school	51
Gov't Code §§ 16000-16081 (repealed). Environmental Quality Study Council	51
Gov't Code § 16272.3 (repealed). Report on ad valorem property taxes	51
Gov't Code § 16272.5 (amended). Dollar share of surplus allocation	51
Gov't Code § 16285 (repealed). Local agency financial data	51
Gov't Code § 16367.9 (repealed). Energy assistance programs	51
Gov't Code § 18671 (amended). Procedure for hearing or investigation	51
Gov't Code § 19995.35 (repealed). Injured state worker assistance program	51
Gov't Code § 19998.5 (repealed). State Employee Assistance Program	51
Gov't Code § 30605 (repealed). Los Angeles County Fiscal Audit	51
Gov't Code § 50089 (amended). Service of process on designated agent	51
Gov't Code § 51015.05 (amended). Intrastate pipeline data	52
Gov't Code § 51015.1 (repealed). Hazardous liquid pipelines	52
Gov't Code § 53117 (repealed). Local emergency telephone systems	52
Gov't Code § 53125 (repealed). Local nonemergency telephone system	52
Gov't Code § 68092.5 (amended). Expert witness fee	52

Gov't Code § 68106 (repealed). Trial court budgeting	52
Gov't Code § 68511.4 (repealed). Trial court recordkeeping practices	52
Gov't Code § 68515 (repealed). Megatrial facilities	52
Gov't Code § 68616 (operative Jan. 1, 2004) (amended). Delay reduction deadlines and procedures	52
Health and Safety Code	52
Health & Safety Code § 1179.2 (amended). Task Force on Rural Health	52
Health & Safety Code § 1205.1 (repealed). Licensure of dialysis facilities	52
Health & Safety Code § 1275.3 (amended). Intermediate care facilities and developmentally disabled nursing	53
Health & Safety Code § 1519 (repealed). Cost of operation of residential facilities	53
Health & Safety Code § 1520.65 (repealed). Study of community care facility placements	53
Health & Safety Code § 1522.4 (amended). Community care facility standards	53
Health & Safety Code § 1522.6 (repealed). Fingerprint clearance advisory committee	53
Health & Safety Code § 1527.9 (repealed). Availability of commercial liability insurance	53
Health & Safety Code § 1529.3 (repealed). Foster parent training	53
Health & Safety Code § 1557 (repealed). Suspension of license or special permit of community care facility	53
Health & Safety Code § 1569.545 (repealed). Reinstatement of suspended permit	53
Health & Safety Code § 1596.955 (amended). Toddler program	53
Health & Safety Code § 1597.01 (repealed). Outdoor activity space requirements	53
Health & Safety Code § 1598.3 (repealed). Recipients of funds	53
Health & Safety Code § 6982 (amended). Wastewater technologies	54
Health & Safety Code § 11756.5 (repealed). Alcohol and drug abuse treatment programs	54
Health & Safety Code § 11758.10 (amended). Net amount contracts	54
Health & Safety Code § 11758.33 (repealed). Construction of chapter	54
Health & Safety Code § 11798.1 (amended). Combined drug and alcohol programs	54
Health & Safety Code § 11998.2 (amended). County drug and alcohol abuse master plan	54
Health & Safety Code § 13143.7 (repealed). Automatic fire sprinklers	54
Health & Safety Code § 16109 (amended). Earthquake mitigation technology	54
Health & Safety Code § 18944.34 (repealed). Report on straw bale structures	54
Health & Safety Code § 25159.13 (repealed). Report on injection well use	54
Health & Safety Code § 25159.19 (amended). Fee schedule	54
Health & Safety Code § 25244.3 (repealed). Reductions in hazardous waste generation	55
Health & Safety Code § 25299.80 (repealed). Underground tank study	55
Health & Safety Code § 25503.2 (amended). Hazardous materials compliance assistance manual	55
Health & Safety Code §§ 25547-25547.2 (repealed). Hazardous materials use reduction institute	55
Health & Safety Code § 25928 (repealed). Asbestos Assessment Task Force report	55
Health & Safety Code § 38045 (repealed). Direct service contracts with nonprofit organizations	55
Health & Safety Code § 39663 (repealed). Control of landfill gas	55
Health & Safety Code § 40410.5 (amended). South coast district sensitive zone	55
Health & Safety Code § 40452 (amended). Report on regulatory activities	55
Health & Safety Code § 43013.5 (amended). Unfinished fuels and fuel blending	55
Health & Safety Code § 44245 (repealed). Programs funded by vehicle registration fees	55
Health & Safety Code § 44247 (repealed). Report by local agencies on use of fees and results of programs	55
Health & Safety Code § 50519 (amended). Residential hotels	56
Health & Safety Code § 50837 (repealed). Advisory Task Force on Affordable Housing	56
Health & Safety Code § 100475 (repealed). Review of public health statutes	56
Health & Safety Code § 101535 (repealed). Sonoma County Dental Health Authority	56
Health & Safety Code § 104595 (repealed). Nutrition monitoring	56
Health & Safety Code § 105140 (amended). Geriatric medicine	56
Health & Safety Code § 105175 (amended). Occupational health	56

Health & Safety Code § 105335 (repealed). Sharps injuries	56
Health & Safety Code § 108865 (repealed). Lead release from tableware	56
Health & Safety Code § 110540 (repealed). Food packaging and sale	56
Health & Safety Code § 110795 (amended). Characteristics of fish	56
Health & Safety Code § 114820 (amended). Fissile radioactive material	57
Health & Safety Code § 116360 (amended). Cryptosporidium and giardia	57
Health & Safety Code § 120865 (repealed). HIV programs	57
Health & Safety Code § 124135 (repealed). Childhood lead screening target areas	57
Health & Safety Code § 124140 (repealed). Childhood lead screening program	57
Health & Safety Code § 124145 (repealed). Report on childhood lead screening	57
Health & Safety Code § 124150 (amended). Additional findings	57
Health & Safety Code § 124160 (amended). Lead poisoning prevention	57
Health & Safety Code § 124195 (amended). Adolescent Family Life Programs	57
Health & Safety Code § 124235 (repealed). Children and adolescents with mental and emotional problems	57
Health & Safety Code § 127360 (amended). Construction of article	57
Health & Safety Code § 127365 (repealed). Community benefit plans	57
Health & Safety Code § 128195 (amended). Report on pilot projects	58
Health & Safety Code § 129295 (amended). Loan insurance program	58
Insurance Code	58
Ins. Code § 11751.51 (repealed). Workers' compensation	58
Ins. Code § 12693.94 (repealed). Healthy Families Program	58
Ins. Code § 12696.25 (repealed). Performance evaluation	58
Labor Code	58
Lab. Code § 139.43 (amended). Advertising services to injured worker	58
Lab. Code § 5710 (amended). Deposition	58
Lab. Code § 6613 (amended). Deposition	58
Lab. Code § 6715 (repealed). Health effects of computer monitor radiation	58
Military and Veterans Code	58
Mil. & Vet. Code § 1012.5 (repealed). Health care needs of those suffering dementia diseases	58
Penal Code	59
Penal Code § 186.11 (amended). Aggravated white collar crime enhancement	59
Penal Code § 653.1 (amended). Electrically conductive balloons	59
Penal Code § 1054.6 (amended). Work product privilege	59
Penal Code § 1174.6 (repealed). Program facilities for pregnant and parenting women	59
Penal Code § 1247k (amended). Rules for criminal appeals	59
Penal Code § 2053 (amended). Prisoner literacy	59
Penal Code § 3053.2 (amended). Parole condition	59
Penal Code § 3424 (repealed). Efficiency and effect of community treatment programs	59
Penal Code § 4497.40 (repealed). Report on allocation of funds	59
Penal Code § 5010 (amended). Weight lifting	59
Penal Code § 5066 (amended). Prison ombudsman	59
Penal Code § 7009 (repealed). Financing of prison facilities	60
Penal Code § 7514 (amended). HIV testing	60
Penal Code § 11108.7 (repealed). Firearms report	60
Penal Code § 11110 (repealed). Automated storage and communication of photographs	60
Penal Code § 13013 (repealed). Data collection system proposal	60
Penal Code § 13508 (amended). Commission on Peace Officer Standards and Training	60
Penal Code § 13828.2 (repealed). Child sexual abuse cases	60
Penal Code § 14210 (amended). Missing persons	60

Probate Code	60
Prob. Code § 451 (amended). Subpoena to compel appearance for purposes of appraisal	60
Prob. Code § 452 (amended). Authority to compel testimony and production of documents	60
Public Contracts Code	60
Pub. Cont. Code § 20104.4 (amended). Mediation and arbitration	60
Public Resources Code	61
Pub. Res. Code § 612.5 (amended). Soil survey	61
Pub. Res. Code § 2802 (repealed). Earthquake prediction system	61
Pub. Res. Code § 3357 (amended). Investigative powers	61
Pub. Res. Code § 3488 (repealed). Illegal disposal of used oil	61
Pub. Res. Code § 3769 (amended). Investigative powers	61
Pub. Res. Code § 4473 (repealed). Experimental prescribed burn program	61
Pub. Res. Code § 4562.5 (amended). Soil erosion study	61
Pub. Res. Code § 18017 (repealed). Plastic waste labeling	61
Pub. Res. Code § 42552 (repealed). Recycling telephone directories	61
Pub. Res. Code § 42553 (amended). Operation of Article 2	61
Pub. Res. Code § 42776 (repealed). Recycled paper survey	61
Pub. Res. Code § 71064 (amended). Environmental Data Management Advisory Committee	61
Public Utilities Code	62
Pub. Util. Code § 322 (amended). Compilation of rules and decisions	62
Pub. Util. Code § 442 (repealed). Evaluation of reimbursement fee funding mechanism	62
Pub. Util. Code § 701.6 (amended). Energy efficient manufactured homes	62
Pub. Util. Code § 1794 (amended). Deposition	62
Pub. Util. Code § 5385.6 (amended). Limousines	62
Pub. Util. Code § 5388 (repealed). Report on issuance of three-year permit	62
Pub. Util. Code § 8303 (repealed). Notice of shipment of radioactive fuel	62
Pub. Util. Code § 99620 (amended). Purpose and amount of allocations	62
Pub. Util. Code § 99621 (repealed). Rail corridor status report	62
Revenue and Taxation Code	62
Rev. & Tax. Code § 2237.3 (repealed). Ad valorem property tax reports	62
Rev. & Tax. Code § 2327 (repealed). Exception to reporting deadline	63
Rev. & Tax. Code § 18405 (amended). Substantial unintentional noncompliance	63
Rev. & Tax. Code § 19264 (amended). Electronic transmission of earnings withholding orders	63
Rev. & Tax. Code § 23331 (amended). Taxpayer information program	63
Rev. & Tax. Code § 25110 (amended). Water's edge election	63
Streets and Highways Code	63
Sts. & Hy. Code § 155.8 (repealed). Study of truck traffic during commute hours	63
Unemployment Insurance Code	63
Unemp. Ins. Code § 1598 (repealed). Evaluation of Benefit Audit Fund and collection of overpaid unemployment compensation benefits	63
Unemp. Ins. Code § 11005 (repealed). Provision of employment services to the deaf and hearing impaired	63
Vehicle Code	63
Veh. Code § 2575 (repealed). Report on licensing and inspection program	63
Veh. Code § 3050.1 (amended). Discovery	63
Veh. Code § 4750.2 (repealed). Verifying financial responsibility on registration of vehicle	64
Veh. Code § 4750.4 (amended). Information provided by insurers	64
Veh. Code § 5011.5 (amended). Limousines operated by charter-party carrier	64

Veh. Code § 14112 (amended). Driver’s license proceeding	64
Veh. Code § 21370.1 (repealed). Nonemergency highway maintenance work	64
Veh. Code § 32005 (repealed). Licensing and inspection program	64
Veh. Code § 34508.5 (repealed). Schoolbus accidents	64
Veh. Code § 40001 (amended). Owner or employer liability	64
Water Code	64
Water Code § 1061 (repealed). Evaluation of enforcement ability	64
Water Code § 1100 (amended). Deposition	64
Water Code § 12226.1 (repealed). Improvement of levees	64
Water Code § 12228 (repealed). Sacramento-San Joaquin Delta land use patterns	64
Welfare and Institutions Code	65
Welf. & Inst. Code § 225.05 (repealed). Youthful offender programs	65
Welf. & Inst. Code § 398 (repealed). Status of children in foster care	65
Welf. & Inst. Code § 503 (amended). Serious habitual offender data	65
Welf. & Inst. Code § 898.5 (repealed). Recidivism reduction study	65
Welf. & Inst. Code § 1120 (amended). Education of wards	65
Welf. & Inst. Code § 1756.1 (repealed). Mental health treatment facilities	65
Welf. & Inst. Code § 1906 (repealed). Youth service bureaus	65
Welf. & Inst. Code § 1914 (repealed). Statewide juvenile information system	65
Welf. & Inst. Code § 4026 (repealed). Mentally disordered patients in long-term healthcare facilities	65
Welf. & Inst. Code § 4390 (amended). School-based early mental health intervention	65
Welf. & Inst. Code § 4506 (repealed). Staffing standards	65
Welf. & Inst. Code § 4519.5 (repealed). Evaluation of services to developmentally disabled	66
Welf. & Inst. Code § 4637 (repealed). Computerized records system	66
Welf. & Inst. Code § 4681.2 (repealed). Community care facility rate commission	66
Welf. & Inst. Code § 4689.1 (amended). Family home agencies	66
Welf. & Inst. Code § 4692 (repealed). Reimbursement for day programs	66
Welf. & Inst. Code § 4751 (repealed). Method for evaluating independence	66
Welf. & Inst. Code § 4838 (repealed). Integration of state and local services	66
Welf. & Inst. Code § 4840 (repealed). Study of funding options	66
Welf. & Inst. Code § 4842 (repealed). Interagency coordination	66
Welf. & Inst. Code § 5719.5 (amended). Mental health managed care	66
Welf. & Inst. Code § 5734 (repealed). Mental health master plan recommendation	66
Welf. & Inst. Code § 5914 (repealed). Funding of mental disease contract services	66
Welf. & Inst. Code § 10627 (repealed). Provision of public social services	67
Welf. & Inst. Code § 11004.5 (repealed). Overpayments	67
Welf. & Inst. Code § 11008 (amended). Disregard of earned income	67
Welf. & Inst. Code § 11008.19 (amended). Child care and development services	67
Welf. & Inst. Code § 11213 (amended). AFDC foster care improvement	67
Welf. & Inst. Code § 11215 (amended). AFDC foster care reports	67
Welf. & Inst. Code § 11406 (repealed). Reports on foster care placement	67
Welf. & Inst. Code § 11469 (amended). Group home performance	67
Welf. & Inst. Code § 11476.6 (amended). Notification of receipt of child support payments	67
Welf. & Inst. Code § 12312 (repealed). Report on pilot study findings	67
Welf. & Inst. Code § 14005.6 (amended). Eligibility for social security and Medicaid	67
Welf. & Inst. Code § 14026.5 (amended). Medi-Cal fraud investigation	68
Welf. & Inst. Code § 14041.5 (amended). Claim preparation and processing software	68
Welf. & Inst. Code § 14087.2 (amended). Children’s hospitals	68
Welf. & Inst. Code § 14090 (repealed). Health benefits study	68
Welf. & Inst. Code § 14090.1 (repealed). Pilot project	68
Welf. & Inst. Code § 14090.2 (repealed). Assistance of department	68

Welf. & Inst. Code § 14090.3 (repealed). Necessary waivers	68
Welf. & Inst. Code § 14104.6 (amended). Fiscal intermediary service contracts	68
Welf. & Inst. Code § 14105.15 (amended). Payment systems	68
Welf. & Inst. Code § 14195.8 (repealed). Therapeutic Drug Utilization Review System	68
Welf. & Inst. Code § 14492 (repealed). Publicly operated health service delivery systems	68
Welf. & Inst. Code § 14499.5 (amended). Medi-Cal pilot project	68
Welf. & Inst. Code § 16501.6 (repealed). Information regarding children placed in foster care	69
Welf. & Inst. Code § 16576 (amended). Statewide Child Support Registry	69
Welf. & Inst. Code § 18379 (repealed). Report on programs relating to health of the elderly	69
Welf. & Inst. Code § 18989.3 (repealed). San Mateo County Consolidated Human Services Agency	69
Welf. & Inst. Code § 19856 (repealed). Utilization of supported employment and adaptive technology account	69

BUSINESS AND PROFESSIONS CODE

Bus. & Prof. Code § 29 (amended). Chemical dependency training

Comment. Section 29 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by June 30, 1991.

Bus. & Prof. Code § 2873.7 (repealed). Recruitment and retention of medical assistants

Comment. Section 2873.7 is repealed as obsolete. The required report was to be completed by January 1, 1989.

Bus. & Prof. Code § 4866 (amended). Diversion program

Comment. Section 4866 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by March 1, 1989.

Bus. & Prof. Code § 6086.12 (repealed). Workload of State Bar Court

Comment. Section 6086.12 is repealed as obsolete. The required reports were to be completed by December 31, 1991.

Bus. & Prof. Code § 6095 (amended). Bar procedures

Comment. Section 6095 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by June 1, 1988.

Bus. & Prof. Code § 6140.2 (amended). Attorney discipline

Comment. Section 6140.2 is amended to delete obsolete provisions.

Bus. & Prof. Code § 6202 (amended). Disclosure of attorney-client communication or attorney work product

Comment. Section 6202 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Bus. & Prof. Code § 9889.60 (repealed). Auto body repair committee

Comment. Section 9889.60 is repealed as obsolete. The advisory committee's report was to be completed by July 1, 1994. See former Section 9889.62.

Bus. & Prof. Code § 9889.62 (repealed). Auto body repair report

Comment. Section 9889.62 is repealed as obsolete. The required report was to be completed by July 1, 1994.

Bus. & Prof. Code § 9889.64 (repealed). Auto body repair definitions

Comment. Section 9889.64 is repealed as obsolete. The advisory committee's report was to be completed by July 1, 1994. See former Sections 9889.60 & 9889.62.

Bus. & Prof. Code § 17083 (amended). Deposition and production of documents

Comment. Section 17083 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery. The reference to former Code of Civil Procedure Section 2021 is not continued, because that provision was repealed in 1957 and its substance was not continued. See 1939 Cal. Stat. ch. 195, § 1 (former Code Civ. Proc. § 2021, as it existed when Bus. & Prof. Code

§ 17083 was enacted in 1941); 1957 Cal. Stat. ch. 1904, § 1 (repealing former Code Civ. Proc. § 2021).

Bus. & Prof. Code § 17550.47 (amended). Claim filed with Travel Consumer Restitution Corporation

Comment. Subdivision (j) of Section 17550.47 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Bus. & Prof. Code § 17912 (amended). Real estate investment trusts

Comment. Section 17912 is amended to correct cross-references to former Corporations Code Section 24003 and to correct technical errors.

CIVIL CODE

Civ. Code § 47 (amended). Privileged publication or broadcast

Comment. Subdivision (b) of Section 47 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Civ. Code § 1354 (amended). Enforcement of governing documents

Comment. Subdivision (b) of Section 1354 is added to state the authority of an association or homeowner to enforce governing documents other than the declaration. See Section 1351(j) (“governing documents” defined). It is consistent with existing law. See former Code Civ. Proc. § 383(a)(1) (association enforcement of governing documents), renumbered as Section 1368.3. See also *Kaplan v. Fairway Oaks Homeowners Ass’n*, 98 Cal. App. 4th 715, 120 Cal. Rptr. 2d 158 (2002) (owner enforcement of association bylaws). A homeowner may bring an action against an association for failure to enforce the governing documents. See, e.g., *Posey v. Leavitt*, 229 Cal. App. 3d 1236, 1246, 280 Cal. Rptr. 568 (1991) (“Under well-accepted principles of condominium law, a homeowner can sue the association for damages and an injunction to compel the association to enforce the provisions of the declaration.”). Governing documents are enforceable under this section only if consistent with the declaration, reasonable, and if adopted with proper authority and procedures, including any required notice. See, e.g., *MaJor v. Miraverde Homeowners Ass’n*, 7 Cal. App. 4th 626, 9 Cal. Rptr. 2d 237 (1992) (inconsistent and unenforceable); *Liebler v. Point Loma Tennis Club*, 40 Cal. App. 4th 1609, 47 Cal. Rptr. 2d 783 (1995) (consistent and enforceable). For a general discussion of relevant principles, see *Nahrstedt v. Lakeside Village Condominium Ass’n*, 8 Cal. 4th 361, 377, 878 P. 2d 1275, 33 Cal. Rptr. 2d 63 (1994). See also Section 1357.110 (enforceability of operating rule).

The first sentence of former subdivision (f) is continued without substantive change in subdivision (c). See also *Kaplan*, 98 Cal. App. 4th at 719 (“The Legislature obviously intended to broaden the availability of attorney fee awards by authorizing attorney fees in an action to enforce the governing documents rather than just the declaration.”). The second sentence of former subdivision (f), relating to the amount of a fee award, is continued in Section 1369.580. That provision has been broadened to apply to an award of fees in an action to enforce this title or the Nonprofit Mutual Benefit Corporation Law. See Section 1369.510(b) (“enforcement action” defined).

Former subdivisions (b)-(e) and (g)-(j) relating to alternative dispute resolution, are relocated and revised as Sections 1369.510-1369.570, and 1369.590 (alternative dispute resolution). See the Comments to those sections for details of the disposition and revision of former subdivisions (b)-(e) and (g)-(j).

Civ. Code § 1357.120 (amended). Scope of operating rule requirements

Comment. Section 1357.120 is amended to provide that the procedures for revising an association's operating rules apply to a rule that relates to the association's procedure for reviewing a proposed physical change to property. See Section 1378 (procedure for decision on proposed physical change to property). See also Sections 1351(b) ("common area" defined), 1351(i) ("exclusive use common area" defined), 1351(l) ("separate interest" defined).

Civ. Code § 1363.810 (added). Scope of article

Comment. Article 5 (commencing with Section 1363.810) is intended to provide a simple and efficient intra-association dispute resolution procedure at no cost to the parties. This is distinct from the alternative dispute resolution process involving a neutral that is required by Article 2 (commencing with Section 1369.510) of Chapter 7 as a prerequisite to litigation to resolve the dispute.

The Nonprofit Mutual Benefit Corporation Law is found at Part 3 (commencing with Section 7110) of Division 2 of Title 1 of the Corporations Code.

See Section 1351(j) ("governing documents" defined).

Civ. Code § 1363.820 (added). Fair, reasonable, and expeditious dispute resolution procedure required

Comment. Subdivision (a) of Section 1363.820 establishes the requirement, and prescribes the standard, for an association's internal dispute resolution procedure. For a description of disputes covered by the requirement, see Section 1363.810 (scope of article).

Although an association is required to provide a fair, reasonable, and expeditious dispute resolution procedure, its failure to do so is not subject to judicial mandate by writ or injunction and is not otherwise actionable. Pursuant to subdivision (c), inaction by an association is in effect adoption of the default procedure provided in Section 1363.840 (default meet and confer procedure).

The standard of "fair, reasonable, and expeditious" prescribed in Section 1363.820 is not an objective standard, and will vary from association to association, depending on such factors as size, involvement of membership, etc. A larger association might, for example, make use of a "covenants committee" composed of disinterested association members to hear and resolve disputes with binding effect on the board, whereas in a smaller association such a procedure might well be impossible because every member of the association could have an interest in the dispute.

Subdivision (b) implements the policy of this article to avoid squabbles over procedural details and instead focus on the substance of the dispute to be resolved. An association that has an existing internal dispute resolution procedure need not re-adopt it for the purposes of this article; the existing procedure is presumed to satisfy the requirements of this article.

The minimum requirements for an association's internal dispute resolution procedure are prescribed in Section 1363.830. The default meet and confer procedure applicable if an association fails to adopt a fair, reasonable, and expeditious procedure is prescribed in Section 1363.840.

Civ. Code § 1363.830 (added). Minimum requirements of association procedure

Comment. Section 1363.830 prescribes the standards for an association's fair, reasonable, and expeditious internal dispute resolution procedure. If an association fails to provide a fair, reasonable, and expeditious procedure, the default dispute resolution procedure provided in Section 1363.840 is applicable.

Civ. Code § 1363.840 (added). Default meet and confer procedure

Comment. Section 1363.840 provides a default dispute resolution procedure based on a "meet and confer" model. See, e.g., Gov't Code § 3505 ("Meet and confer in good faith" means that the parties have the mutual obligation personally to meet and confer promptly upon request by either

party and continue for a reasonable period of time in order to exchange freely information, opinions, and proposals, and to endeavor to reach agreement”)

An agreement reached pursuant to the meet and confer procedure prescribed in subdivision (b) binds the parties, provided it is not inconsistent with law or the governing documents and does not exceed the authority granted to the board’s representative. Thus, for example, a dispute could not legally be resolved by an agreement to a change in operating rules; operating rules may only be changed by appropriate association action. But an agreement could involve a commitment to bring the proposed rule change before the board with a favorable recommendation for board action.

Civ. Code § 1368.3 (added). Association standing

Comment. Section 1368.3 continues subdivision (a) of former Code of Civil Procedure Section 383 without substantive change.

Civ. Code § 1368.4 (added). Comparative fault as affirmative defense

Comment. Section 1368.4 continues subdivisions (b)-(e) of former Code of Civil Procedure Section 383 without substantive change.

Civ. Code § 1368.4 (amended and renumbered). Notice of civil action

Comment. Former Section 1368.4 is renumbered as 1368.5. Subdivision (a) is amended to correct a technical error.

Civ. Code § 1369.510 (added). Definitions

Comment. The first sentence of subdivision (a) of Section 1369.510 continues the substance of a portion of the first sentence of former Section 1354(b), and broadens it to include conciliation and other nonjudicial processes that involve a neutral in dispute resolution. The second sentence of subdivision (a) continues the substance of the second sentence of former Section 1354(b).

Subdivision (b) supersedes the portion of the first sentence of former Section 1354(b) that limited the alternative dispute resolution process to enforcement of governing documents. Under this section, an enforcement proceeding may involve enforcement of rights under this title or the Nonprofit Mutual Benefit Corporation Law. See also Section 1351(j) (“governing documents” defined). The Nonprofit Mutual Benefit Corporation Law is found at Part 3 (commencing with Section 7110) of Division 2 of Title 1 of the Corporations Code.

Subdivision (b) continues the exemption of cross-complaints formerly found in Section 1354(e).

Civ. Code § 1369.520 (added). ADR prerequisite to enforcement action

Comment. Subdivision (a) of Section 1369.520 continues the substance of a portion of the first sentence of former Section 1354(b). See also Section 1369.510 (“alternative dispute resolution” and “enforcement action” defined). Subdivision (a) does not continue the clause excepting a dispute where the applicable time limitation for commencing the action would run within 120 days. Instead, action under this subdivision tolls a statute of limitations that would run within 120 days. See Section 1369.550.

Subdivision (b) expands the provision of the first sentence of former Section 1354(b) specifying the types of enforcement actions to which the section applies. As revised, the provision covers an action for writ relief, as well as an action for declaratory or injunctive relief. It makes clear that a dispute resolution effort is not a prerequisite to a small claims action. Because the alternative dispute resolution requirement is limited to an action for declaratory, injunctive, or writ relief (or those types of relief joined with a damage claim not exceeding the jurisdictional limit of the small claims division of superior court), the requirement necessarily is inapplicable to a small claims proceeding. *Cf.* Code Civ. Proc. § 116.220 (limited jurisdiction of small claims court). A small claims action itself satisfies key functions of alternative dispute resolution — it

provides a quick and inexpensive means of resolving a dispute within the jurisdiction of the small claims division of the superior court. Subdivision (b) is also revised to make clear that alternative dispute resolution is not applicable to an assessment dispute, except to the extent that it is made applicable by another provision of law.

Civ. Code § 1369.530. (added) Request for resolution

Comment. Paragraphs (1)-(3) of Section 1369.530(a) continue the substance of the third and fourth sentences of former Section 1354(b). Paragraph (4) continues the substance of former Section 1354(j). As used in subdivision (a), “all other parties to the dispute” refers to all persons intended to be named as parties to the enforcement action.

Subdivision (b) supersedes the fifth sentence of former Section 1354(b). It expands the permissible manner of service of the Request for Resolution, consistent with general provisions for notice of motion in civil proceedings.

Subdivision (c) continues the substance of the sixth sentence of former Section 1354(b).

Civ. Code § 1369.540 (added). ADR process

Comment. Subdivision (a) of Section 1369.540 continues the substance of the seventh sentence of former Section 1354(b).

Subdivision (b) supersedes former Section 1354(g)-(h). It replaces the former provisions with a reference to the general mediation confidentiality statute, but precludes application of that statute to arbitration proceedings pursuant to this article. See also Section 1269.510(a) (“alternative dispute resolution” defined).

Subdivision (c) continues the eighth sentence of former Section 1354(b).

The parties to an agreement reached pursuant to alternative dispute resolution may include in the agreement provisions for its enforcement in case of breach, such as a stipulation for entry of judgment or for injunctive relief.

Civ. Code § 1369.550 (added). Tolling of statute of limitations

Comment. Section 1369.550 supersedes the first clause of former Section 1354(b), which excepted a dispute where the applicable time limitation for commencing the action would run within 120 days. Under Section 1369.550, a Request for Resolution is required even if the statute of limitations would expire within 120 days of the request. Instead, if the statute of limitations would run within 120 days after service of the request, the statute is tolled until the 120th day after service of the request.

Civ. Code § 1369.560 (added). Certification of efforts to resolve dispute

Comment. Subdivision (a) of Section 1369.560 continues the substance of the first sentence of former Section 1354(c), but expands its application beyond an action for enforcement of the association’s governing documents. See Sections 1369.510(b) (“enforcement action” defined), 1369.520 (ADR prerequisite to enforcement action).

Subdivision (b) continues the substance of the second sentence of former Section 1354(c), but no longer excuses compliance if the statute of limitations would run within 120 days after filing. *Cf.* Section 1369.550 & Comment (tolling of statute of limitations). See also Code Civ. Proc. §§ 430.10 (demurrer), 435 (motion to strike).

The requirement of this section does not apply to the filing of a cross-complaint. See Section 1369.510(b) (“enforcement action” defined).

Civ. Code § 1369.570 (added). Stay of litigation for dispute resolution

Comment. Section 1369.570 continues the substance of former Section 1354(d) but expands its application beyond an action for enforcement of the association’s governing documents. See Section 1369.510(b) (“enforcement action” defined).

Civ. Code § 1369.580 (added). Attorney’s fees

Comment. Section 1369.580 continues the substance of the second sentence of former Section 1354(f) but expands its application beyond an action for enforcement of the association’s governing documents. See Section 1369.510(b) (“enforcement action” defined).

Civ. Code § 1369.590 (added). Member information

Comment. Subdivision (a) of Section 1369.590 continues the substance of the first and second paragraphs of former Section 1354(i). Subdivision (a) makes clear that it is the duty of the association to provide the summary.

Subdivision (b) continues the third paragraph of former Section 1354(i).

Civ. Code § 1373 (amended). Nonresidential developments

Comment. The introductory clause of subdivision (a) of Section 1373 is amended to more closely parallel the language used in Business and Professions Code Section 11010.3 (exemption of nonresidential subdivision from laws governing subdivided land). This is a nonsubstantive change.

Subdivision (a)(9) is added to exempt a nonresidential common interest development from the statutory provision governing review of a proposed physical change to property within the development. Nothing in this section affects the application of a common law requirement governing association review of a proposed property change. An industrial or commercial common interest development that is subject to such a requirement remains subject to the requirement.

Civ. Code § 1378 (added). Procedure for decision on proposed physical change to property

Comment. Section 1378 is new. Paragraphs (1) and (2) of subdivision (a) are consistent with case law. See *Ironwood Owners Ass’n IX v. Solomon*, 178 Cal. App. 3d 766, 772, 224 Cal. Rptr. 18 (1986) (“When a homeowners’ association seeks to enforce the provisions of its CCRs to compel an act by one of its member owners, it is incumbent upon it to show that it has followed its own standards and procedures prior to pursuing such a remedy, that those procedures were fair and reasonable and that its substantive decision was made in good faith, and is reasonable, not arbitrary or capricious.”). Nothing in this section is intended to shift the existing burden of proof as to the validity of an association’s governing documents.

Subdivision (a)(1) requires that an association establish prompt deadlines for response to an application or a request for reconsideration and include those deadlines in its written procedure. The meaning of “prompt” will vary from association to association, depending on such factors as the frequency with which the decisionmaking body meets and the complexity of the review process. However, the period for response should not exceed the amount of time that is reasonably required to respond. An association could choose to establish different periods for review of different identified classes of improvement. For example, an association’s procedure might provide 30 days for review of a landscaping plan, but 90 days for review of new construction.

The association’s procedure for reviewing and approving or disapproving a proposed physical change should be flexible in addressing exigent circumstances. For example, an association should expedite review of a proposed change that is necessary to accommodate a disability or to protect against an imminent threat to public health or safety. Such flexibility is implicit in the requirement that the review and decisionmaking procedure be reasonable and expeditious.

Physical changes that might be subject to association approval requirements include additions or renovations, landscaping, choice of exterior paint colors, coverings, or roofing materials, changes to windows and balconies, and other such changes to the structure or appearance of the property.

An association decision on a proposed physical change must be consistent with governing law. For example, the Fair Employment and Housing Act prohibits discrimination “through public or

private land use practices, decisions, and authorizations.” Gov’t Code § 12955(l). See also Gov’t Code § 12927(c)(1) (“Discrimination” includes “refusal to permit, at the expense of the disabled person, reasonable modifications of existing premises occupied or to be occupied by the disabled person, if the modifications may be necessary to afford the disabled person full enjoyment of the premises ... and includes refusal to make reasonable accommodations in rules, policies, practices, or services when these accommodations may be necessary to afford a disabled person equal opportunity to use and enjoy a dwelling.”).

Subdivision (a)(4) provides an applicant with the option to seek reconsideration of a disapproval decision, at an open meeting of the board of directors. If a separate interest is part of more than one association, a disapproval decision would be reconsidered by the board of the association that made the disapproval decision. Nothing in this subdivision is intended to imply that a board meeting required under another provision is not open. See Section 1363.05 (Common Interest Development Open Meeting Act). An applicant preserves other remedies whether or not the applicant seeks reconsideration. The right of reconsideration by the board only applies if the initial decision is made by an entity with a different membership than the board of directors or is made at a meeting that does not satisfy the requirements of Section 1363.05.

The requirements of this section apply regardless of any contrary provision in an association’s governing documents. Nothing in this section affects the limitation on director liability provided in Section 1367.5 or in Corporations Code Section 7231.

Subdivision (b) makes clear that this section does not authorize physical change to the common area in a manner that is inconsistent with an association’s governing documents or the governing law. In many associations the governing documents require a vote of the membership to approve a change to the common area. See, e.g., *Posey v. Leavitt*, 229 Cal. App. 3d 1236, 280 Cal. Rptr. 568 (1991). In other associations, the governing documents may permit changes to certain features of the common areas (such as common walls, ceilings, floors, and exclusive use common areas) with the approval of the association. See Civ. Code § 1351(i) (“exclusive use common area” defined). In all cases, the requirements of the governing documents control.

Nothing in this section prevents an association from adopting an operating rule, consistent with its governing documents, that provides for automatic approval of a specifically identified type of physical change.

Civ. Code §§ 1812.40-1812.41 (repealed). Retail Credit Advisory Committee

Comment. Sections 1812.40-1812.41 are repealed as obsolete. The final report of the Retail Credit Advisory Committee was to be completed by June 30, 1982.

CODE OF CIVIL PROCEDURE

Code Civ. Proc. § 93 (amended). Case questionnaire

Comment. Subdivision (e) of Section 93 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 94 (amended). Discovery in economic litigation case

Comment. Section 94 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 116.310 (amended). Pleading and discovery in small claims action

Comment. Subdivision (b) of Section 116.310 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 116.770 (amended). Hearing on appeal in small claims action

Comment. Subdivision (b) of Section 116.770 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 259 (amended). Court commissioners

Comment. Former subdivisions (d), (i), (j), and (k) of Section 259 are repealed as obsolete. The repeal of these provisions does not preclude a court commissioner from administering an oath or affirmation, or from taking proof or acknowledgment of an instrument. See Code Civ. Proc. § 2093(a) (“every officer or person authorized to take testimony in any action or proceeding, or to decide upon evidence, has the power to administer oaths and affirmations”); Civ. Code § 1181 (officers authorized to take proof or acknowledgment of instrument include court commissioner).

Former subdivision (e) is amended to replace the provision for appointment of a commissioner as temporary judge on written consent of an appearing party with the constitutional standard for appointment of a temporary judge. See Cal. Const. art. VI, § 21. Under the Constitution, written consent is not required in case of “implied consent” or “tantamount stipulation.” See, e.g., *In re Courtney H.*, 38 Cal. App. 4th 1221, 1227-28, 45 Cal. Rptr. 2d 560, 564 (1995). Under the Constitution, whether the stipulation of a party is required for designation of a temporary judge is determined by the party’s status as a “litigant,” not by whether the party is “an appearing party.” See, e.g., *Sarracino v. Superior Court*, 13 Cal. 3d 1, 529 P.2d 53, 118 Cal. Rptr. 21 (1974); *Barfield v. Superior Court*, 216 Cal. App. 2d 476, 477, 31 Cal. Rptr. 30 (1963).

Code Civ. Proc. § 383 (repealed). Civil action brought by association

Comment. Subdivision (a) of former Section 383 is continued without substantive change in Civil Code Section 1368.3. Subdivisions (b)-(e) are continued without substantive change in Civil Code Section 1368.4.

Code Civ. Proc. § 395.2 (amended). Place of trial in action against unincorporated association

Comment. Section 395.2 is amended to reflect that an unincorporated association may file a statement designating its principal office under sections other than former Corporations Code Section 24003 (continued without substantive change in Corporations Code Section 18200). See, e.g., Corp. Code §§ 15621(a)(4) (limited partnership), 16309 (general partnership), 16953(a)(3) (limited liability partnership), 17051(a)(4) (limited liability company), 17060(a)(2) (limited liability company).

Code Civ. Proc. § 416.40 (amended). Service on unincorporated association

Comment. Section 416.40 is amended to reflect that an unincorporated association may designate an agent for service of process under sections other than former Corporations Code Section 24003 (continued without substantive change in Corporations Code Section 18200). See, e.g., Corp. Code §§ 15621(a)(4) (limited partnership), 16309 (general partnership), 16953(a)(3) (limited liability partnership), 17051(a)(4) (limited liability company), 17060(a)(2) (limited liability company).

Code Civ. Proc. § 437c (amended). Summary judgment motion

Comment. Subdivision (i) of Section 437c is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 485.230 (amended). Discovery where court has issued right to attach order

Comment. Section 485.230 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 529.1 (amended). Construction project enjoined

Comment. Section 529.1 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1985.

Code Civ. Proc. § 708.020 (amended). Written interrogatories propounded by judgment creditor

Comment. Subdivisions (a) and (d) of Section 708.020 are amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 708.030 (amended). Demand for production of documents and other discovery by judgment creditor

Comment. Subdivision (a) of Section 708.030 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 1141.16 (amended). Determination of amount in controversy, review of prayer for equitable relief, and timing of arbitration hearing

Comment. Subdivision (c) of Section 1141.16 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 1141.24 (amended). Prohibition of discovery after arbitration award

Comment. Section 1141.24 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 1283.05 (amended). Discovery in arbitration proceeding

Comment. Subdivision (a) of Section 1283.05 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 1775.11 (amended). Discovery by parties participating in mediation

Comment. Section 1775.11 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 1985.3 (amended). Personal records of consumer

Comment. Subdivisions (a) and (d) of Section 1985.3 are amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 1987.5 (amended). Effect of subpoena

Comment. Section 1987.5 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 1991.1 (amended). Disobedience of deposition subpoena or refusal to be sworn at deposition

Comment. Section 1991.1 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. §§ 2016-2036 (repealed). Discovery

Comment. Sections 2016-2036 are repealed to facilitate nonsubstantive reorganization of the rules governing civil discovery.

Code Civ. Proc. § 2016.010 (added). Short title

Comment. Section 2016.010 continues former Section 2016(a) without substantive change.

Code Civ. Proc. § 2016.020 (added). Definitions

Comment. Section 2016.020 continues former Section 2016(b) without substantive change.

Code Civ. Proc. § 2016.030 (added). Written stipulation regarding deposition or other discovery

Comment. Section 2016.030 continues former Section 2021 without substantive change.

Code Civ. Proc. § 2016.040 (added). Meet and confer declaration

Comment. Section 2016.040 is added for drafting convenience. The language is drawn from numerous provisions. See former Sections 2017(c)-(d), 2019(b), 2024(e), 2025(e), (g), (i), (j), (n), (o), (q), 2028(d), 2030(e), (l), (m), 2031(f), (m), 2032(c), (d), (h), (j), 2033(e), (l), 2034(e), (i), (k), (l). To eliminate redundancy, these have been revised to refer to Section 2016.040. See Sections 2017.020(a), 2017.220(a), 2019.030(b), 2024.050(a), 2025.260(a), 2025.410(c), 2025.420(a), 2025.450(b)(2), 2025.480(b), 2025.520(g), 2025.530(e), 2028.040(b), 2028.050(b), 2030.090(a), 2030.300(b), 2030.310(b), 2031.060(a), 2031.310(b), 2032.250(a), 2032.310(b), 2032.620(a), 2032.650(a), 2033.080(a), 2033.290(b), 2034.250(a), 2034.470(b), 2034.610(c), 2034.710(c).

Code Civ. Proc. § 2016.050 (added). Service by mail

Comment. Section 2016.050 continues former Section 2019(e) but broadens the language to clearly encompass a motion for a protective order, as well as a motion for discovery.

Code Civ. Proc. § 2016.060 (added). Computation of time when last day falls on Saturday, Sunday, or holiday

Comment. Section 2016.060 continues former Section 2024(g) (as amended by 2004 Cal. Stat. ch. 171, § 5) without change, except to replace “article” with “title.”

Code Civ. Proc. § 2016.070 (added). Application of title to discovery in aid of enforcement of money judgment

Comment. Section 2016.070 continues former Section 2016(c) without change, except to replace “article” with “title.”

Code Civ. Proc. § 2017.010 (added). Scope of discovery

Comment. Section 2017.010 continues former Section 2017(a) without change, except to replace “article” with “title.”

Code Civ. Proc. § 2017.020 (added). Court order limiting scope of discovery

Comment. Subdivision (a) of Section 2017.020 continues the first paragraph of former Section 2017(c) without substantive change.

Subdivision (b) continues the second paragraph of former Section 2017(c) without change, except to conform the cross-reference.

Code Civ. Proc. § 2017.210 (added). Discovery of insurance coverage

Comment. Section 2017.210 continues former Section 2017(b) without change.

Code Civ. Proc. § 2017.220 (added). Discovery concerning plaintiff’s sexual conduct

Comment. Subdivision (a) of Section 2017.220 continues the first paragraph of former Section 2017(d) without substantive change.

Subdivision (b) continues the second paragraph of former Section 2017(d) without substantive change.

Code Civ. Proc. § 2017.310 (added). Confidential settlement agreement disfavored

Comment. Section 2017.310 continues former Section 2031.1 without change.

Code Civ. Proc. § 2017.320 (added). Information protected from disclosure by stipulated protective order

Comment. Section 2017.320 continues former Section 2031.2 without substantive change.

Code Civ. Proc. § 2017.710 (added). “Technology” defined

Comment. Section 2017.710 continues former Section 2017(e)(6) without substantive change.

Code Civ. Proc. § 2017.720 (added). Effect of chapter

Comment. Subdivision (a) of Section 2017.720 continues former Section 2017(e)(4) without substantive change.

Subdivision (b) continues former Section 2017(e)(7) without substantive change.

Subdivision (c) continues former Section 2017(e)(8) without substantive change.

Code Civ. Proc. § 2017.730 (added). Use of technology in conducting discovery in complex case

Comment. Subdivision (a) of Section 2017.730 continues the first sentence of former Section 2017(e)(1) without substantive change.

Subdivision (b) continues the second sentence of former Section 2017(e)(1) without substantive change.

Subdivision (c) continues former Section 2017(e)(2) without substantive change.

Subdivision (d) continues the first and second sentences of former Section 2017(e)(3) without substantive change.

Subdivision (e) continues the third sentence of former Section 2017(e)(3) without substantive change.

Code Civ. Proc. § 2017.740 (added). Use of service provider

Comment. Subdivision (a) of Section 2017.740 continues the first four sentences of former Section 2017(e)(5) without substantive change.

Subdivision (b) continues the fifth, sixth, and seventh sentences of former Section 2017(e)(5) without substantive change.

Code Civ. Proc. § 2018.010 (added). “Client” defined

Comment. Section 2018.010 continues the second paragraph of former Section 2018(f) without substantive change.

Code Civ. Proc. § 2018.020 (added). Policy underlying work product privilege

Comment. Section 2018.020 continues former Section 2018(a) without substantive change.

Code Civ. Proc. § 2018.030 (added). Discovery of attorney work product

Comment. Subdivision (a) of Section 2018.030 continues former Section 2018(c) without substantive change.

Subdivision (b) continues former Section 2018(b) without substantive change.

Code Civ. Proc. § 2018.040 (added). Effect of chapter

Comment. Section 2018.040 continues the first and second sentences of former Section 2018(d) without change, except to replace “section” with “chapter.”

Code Civ. Proc. § 2018.050 (added). Lawyer suspected of knowingly participating in crime or fraud

Comment. Section 2018.050 continues the third sentence of former Section 2018(d) without substantive change.

Code Civ. Proc. § 2018.060 (added). In camera hearing

Comment. Section 2018.060 continues the fourth sentence of former Section 2018(d) without change, except to replace “section” with “chapter.”

Code Civ. Proc. § 2018.070 (added). Discovery of attorney work product by State Bar

Comment. Subdivisions (a) and (b) of Section 2018.070 continue the first sentence of former Section 2018(e) without substantive change.

Subdivision (c) continues the second sentence of former Section 2018(e) without change, except to replace “section” with “chapter.”

Code Civ. Proc. § 2018.080 (added). Action between attorney and client or former client

Comment. Section 2018.080 continues the first paragraph of former Section 2018(f) without substantive change.

Code Civ. Proc. § 2019.010 (added). Methods of discovery

Comment. Section 2019.010 continues former Section 2019(a) without change.

Code Civ. Proc. § 2019.020 (added). Sequence of discovery

Comment. Subdivision (a) of Section 2019.020 continues the first sentence of former Section 2019(c) without substantive change.

Subdivision (b) continues the second sentence of former Section 2019(c) without substantive change.

Code Civ. Proc. § 2019.030 (added). Restriction on use of discovery method

Comment. The introductory clause of subdivision (a) of Section 2019.030 continues the introductory clause of former Section 2019(b) without substantive change. Subdivision (a)(1) continues former Section 2019(b)(1) without change. Subdivision (a)(2) continues former Section 2019(b)(2) without change.

Subdivision (b) continues the next-to-last paragraph of former Section 2019(b) without substantive change.

Subdivision (c) continues the last paragraph of former Section 2019(b) without change, except to conform the cross-reference.

Code Civ. Proc. § 2019.210 (added). Timing of discovery relating to trade secret

Comment. Section 2019.210 continues former Section 2019(d) without change.

Code Civ. Proc. § 2020.010 (added). Method and process for obtaining discovery from nonparty

Comment. Subdivision (a) of Section 2020.010 continues the first sentence of former Section 2020(a) without substantive change.

Subdivision (b) continues the second sentence of former Section 2020(a) without change, except to conform the cross-reference.

Code Civ. Proc. § 2020.020 (added). Types of deposition subpoenas

Comment. Section 2020.020 continues the third sentence (including items (1)-(3)) of former Section 2020(a) without substantive change.

Code Civ. Proc. § 2020.030 (added). Application of other code provisions

Comment. Section 2020.030 continues the last paragraph of former Section 2020(a) without substantive change.

Code Civ. Proc. § 2020.210 (added). Issuance of deposition subpoena

Comment. Subdivision (a) of Section 2020.210 continues the first sentence of former Section 2020(b) without substantive change.

Subdivision (b) continues the second sentence of former Section 2020(b) without substantive change.

Code Civ. Proc. § 2020.220 (added). Service of deposition subpoena

Comment. Subdivision (a) of Section 2020.220 continues the first sentence of former Section 2020(f) without change, except to conform the cross-references.

Subdivision (b) continues the second sentence of former Section 2020(f) without substantive change.

Subdivision (c) continues former Section 2020(g) without substantive change.

Code Civ. Proc. § 2020.230 (added). Witness fee

Comment. Subdivision (a) of Section 2020.230 continues the second paragraph of former Section 2020(f) without change, except to conform cross-references.

Subdivision (b) continues the third paragraph of former Section 2020(f) without change, except to conform a cross-reference.

Code Civ. Proc. § 2020.240 (added). Sanctions for disobedience of deposition subpoena

Comment. Section 2020.240 continues former Section 2020(h) without substantive change.

Code Civ. Proc. § 2020.310 (added). Subpoena commanding only attendance and testimony of deponent

Comment. Section 2020.310 continues former Section 2020(c) without substantive change.

Code Civ. Proc. § 2020.410 (added). Subpoena commanding only production of business records for copying

Comment. Subdivisions (a) and (b) of Section 2020.410 continue the first sentence of former Section 2020(d)(1) without substantive change.

Subdivision (c) continues the second, third, and fourth sentences of former Section 2020(d)(1) without substantive change.

Subdivision (d) continues former Section 2020(d)(2) without change.

Code Civ. Proc. § 2020.420 (added). Officer for deposition seeking only production of business records

Comment. Section 2020.420 continues former Section 2020(d)(3) without change, except to replace “subdivision” with “article.”

Code Civ. Proc. § 2020.430 (added). Compliance with subpoena commanding only production of business records

Comment. Subdivisions (a) and (e) of Section 2020.430 continue the first sentence of former Section 2020(d)(4) without substantive change.

Subdivision (b) continues the second sentence of former Section 2020(d)(4) without substantive change.

Subdivision (c) continues the third and fourth sentences of former Section 2020(d)(4) without substantive change.

Subdivision (d) continues the fifth and sixth sentences of former Section 2020(d)(4) without change.

Subdivision (f) continues former Section 2020(d)(6) without change, except to replace “subdivision” with “article.”

Code Civ. Proc. § 2020.440 (added). Duties of deposition officer

Comment. Section 2020.440 continues former Section 2020(d)(5) without change, except to replace “subdivision” with “article.”

Code Civ. Proc. § 2020.510 (added). Subpoena commanding both production of business records and attendance and testimony of deponent

Comment. Subdivision (a) of Section 2020.510 continues the first sentence of former Section 2020(e) without substantive change.

Subdivision (b) continues the second sentence of former Section 2020(e) without substantive change.

Subdivision (c) continues the second paragraph of former Section 2020(e) without change.

Code Civ. Proc. § 2023.010 (added). Misuses of discovery process

Comment. Section 2023.010 continues former Section 2023(a)(1)-(8) and the first sentence of former Section 2023(a)(9) without substantive change.

Code Civ. Proc. § 2023.020 (added). Sanctions for failure to confer as required

Comment. Section 2023.020 continues the second sentence of former Section 2023(a)(9) without change.

Code Civ. Proc. § 2023.030 (added). Other sanctions for misuse of discovery

Comment. The introductory clause of Section 2023.030 continues the introductory clause of former Section 2023(b) without substantive change.

Subdivision (a) continues former Section 2023(b)(1) without change, except to replace “article” with “title.”

Subdivision (b) continues former Section 2023(b)(2) without change.

Subdivision (c) continues former Section 2023(b)(3) without change.

Subdivision (d) continues former Section 2023(b)(4) without change.

Subdivision (e) continues former Section 2023(b)(5) without change.

Code Civ. Proc. § 2023.040 (added). Content of request for sanction

Comment. Section 2023.040 continues former Section 2023(c) without change.

Code Civ. Proc. § 2024.010 (added). Completion of discovery

Comment. Section 2024.010 continues the third sentence of former Section 2024(a) without change, except to replace “section” with “chapter.”

Code Civ. Proc. § 2024.020 (added). Discovery cutoff

Comment. Subdivision (a) of Section 2024.020 continues the first sentence of former Section 2024(a) without change, except to replace “section” with “chapter.” For computation of the discovery cutoff when the last day falls on a Saturday, Sunday, or holiday, see Section 2016.060.

Subdivision (b) continues the fourth sentence of former Section 2024(a) without change, except to conform the cross-reference.

Code Civ. Proc. § 2024.030 (added). Discovery cutoff for expert witness

Comment. Section 2024.030 continues former Section 2024(d) (as amended by 2004 Cal. Stat. ch. 171, § 5) without change, except to conform the cross-reference and delete the second sentence as surplusage. See Section 2016.060 (computation of time when last day falls on Saturday, Sunday, or holiday).

Code Civ. Proc. § 2024.040 (added). Exceptions to discovery cutoff

Comment. Subdivision (a) of Section 2024.040 continues former Section 2024(b) without change.

Subdivision (b) continues former Section 2024(c) without substantive change.

Code Civ. Proc. § 2024.050 (added). Motion to extend or reopen discovery

Comment. Subdivision (a) of Section 2024.050 continues the first paragraph of former Section 2024(e) without substantive change.

Subdivision (b) continues the second paragraph (including items (1)-(4)) of former Section 2024(e) without change.

Subdivision (c) continues the last paragraph of former Section 2024(e) without change, except to conform the cross-reference.

Code Civ. Proc. § 2024.060 (added). Agreement extending discovery cutoff

Comment. Section 2024.060 continues former Section 2024(f) without substantive change.

Code Civ. Proc. § 2025.010 (added). Oral deposition inside California

Comment. Section 2025.010 continues former Section 2025(a) without change, except to conform the cross-references.

Code Civ. Proc. § 2025.210 (added). Time of service of deposition notice

Comment. Section 2025.210 continues former Section 2025(b) without substantive change. For the consequences of noncompliance with the requirements of a deposition notice, see Section 2025.410.

Code Civ. Proc. § 2025.220 (added). Content of deposition notice

Comment. The introductory clause of subdivision (a) of Section 2025.220 continues the first sentence of former Section 2025(c) and the introductory clause of former Section 2025(d) without substantive change. Subdivision (a)(1) continues former Section 2025(d)(1) without change. Subdivision (a)(2) continues former Section 2025(d)(2) without change, except to conform the cross-reference. Subdivision (a)(3) continues former Section 2025(d)(3) without change. Subdivision (a)(4) continues former Section 2025(d)(4) without change. Subdivision (a)(5) continues former Section 2025(d)(5) without change, except to conform the cross-reference. Subdivision (a)(6) continues the first paragraph of former Section 2025(d)(6) without change, except to conform the cross-reference.

Subdivision (b) continues the second sentence of former Section 2025(c) without substantive change.

For the consequences of noncompliance with the requirements of a deposition notice, see Section 2025.410.

Code Civ. Proc. § 2025.230 (added). Notice to deponent other than natural person

Comment. Section 2025.230 continues the first sentence of the second paragraph of former Section 2025(d)(6) without change. For the consequences of noncompliance with the requirements of a deposition notice, see Section 2025.410.

Code Civ. Proc. § 2025.240 (added). Service of deposition notice and related documents

Comment. Subdivision (a) of Section 2025.240 continues the third and fourth sentences of former Section 2025(c) without substantive change.

Subdivision (b) continues the second paragraph of former Section 2025(c) without substantive change.

Subdivision (c) continues the third paragraph of former Section 2025(d)(6) without change, except to conform the cross-reference.

For the consequences of noncompliance with the requirements of a deposition notice, see Section 2025.410.

Code Civ. Proc. § 2025.250 (added). Place of deposition

Comment. Subdivision (a) of Section 2025.250 continues former Section 2025(e)(1) without substantive change.

Subdivision (b) continues the first sentence of former Section 2025(e)(2) without change.

Subdivision (c) continues the second and third sentences of former Section 2025(e)(2) without substantive change.

For the consequences of noncompliance with the requirements of a deposition notice, see Section 2025.410.

Code Civ. Proc. § 2025.260 (added). Motion to require party to attend deposition at more distant place

Comment. Subdivision (a) of Section 2025.260 continues the first paragraph of former Section 2025(e)(3) without substantive change.

Subdivision (b) continues the second paragraph of former Section 2025(e)(3) (including items (A)-(F)) without change, except to conform the cross-references.

Subdivision (c) continues the next-to-last paragraph of former Section 2025(e)(3) without change.

Subdivision (d) continues the last paragraph of former Section 2025(e)(3) without substantive change.

For the consequences of noncompliance with the requirements of a deposition notice, see Section 2025.410.

Code Civ. Proc. § 2025.270 (added). Time of taking oral deposition

Comment. Subdivision (a) of Section 2025.270 continues the first and second sentences of former Section 2025(f) without change.

Subdivision (b) continues the third sentence of former Section 2025(f) without substantive change.

Subdivision (c) continues the second paragraph of former Section 2025(f) without change, except to conform the cross-reference.

For the consequences of noncompliance with the requirements of a deposition notice, see Section 2025.410.

Code Civ. Proc. § 2025.280 (added). Effect of deposition notice

Comment. Subdivision (a) of Section 2025.280 continues former Section 2025(h)(1) without change, except to conform the cross-reference.

Subdivision (b) continues former Section 2025(h)(2) without change, except to conform the cross-reference.

For the consequences of noncompliance with the requirements of a deposition notice, see Section 2025.410.

Code Civ. Proc. § 2025.310 (added). Deposition by remote electronic means

Comment. Subdivision (a) of Section 2025.310 continues the first sentence of former Section 2025(h)(3) without change.

Subdivision (b) continues the second and third sentences of former Section 2025(h)(3) without substantive change.

Subdivision (c) continues the fourth sentence of former Section 2025(h)(3) without substantive change.

Code Civ. Proc. § 2025.320 (added). Deposition officer

Comment. The introductory clause of Section 2025.320 continues the introductory clause of former Section 2025(k) without change, except to conform the cross-reference.

Subdivision (a) continues former Section 2025(k)(1) without change.

Subdivision (b) continues former Section 2025(k)(2) without change.

Subdivision (c) continues former Section 2025(k)(3) without change.

Subdivision (d) continues former Section 2025(k)(4) without change.

Subdivision (e) continues former Section 2025(k)(5) without substantive change.

Subdivision (f) continues former Section 2025(v) without substantive change.

Code Civ. Proc. § 2025.330 (added). Conduct of deposition

Comment. Subdivision (a) of Section 2025.330 continues the first sentence of former Section 2025(l)(1) without change.

Subdivision (b) continues the second sentence of former Section 2025(l)(1) without change.

Subdivision (c) continues the third, fourth, and fifth sentences of former Section 2025(l)(1) without change, except to conform the cross-references.

Subdivision (d) continues the sixth sentence of former Section 2025(l)(1) without change.

Subdivision (e) continues former Section 2025(l)(3) without change.

Code Civ. Proc. § 2025.340 (added). Deposition recorded by audio or video technology

Comment. The introductory clause of Section 2025.340 continues the introductory clause of former Section 2025(l)(2) without substantive change.

Subdivision (a) continues former Section 2025(l)(2)(A) without change.

Subdivision (b) continues the first and second sentences of former Section 2025(l)(2)(B) without substantive change.

Subdivision (c) continues the third sentence of former Section 2025(l)(2)(B) without substantive change.

Subdivision (d) continues the fourth, fifth, and sixth sentences of former Section 2025(l)(2)(B) without change.

Subdivision (e) continues the seventh and eighth sentences of former Section 2025(l)(2)(B) without change.

Subdivision (f) continues the ninth and tenth sentences of former Section 2025(l)(2)(B) without change.

Subdivision (g) continues former Section 2025(l)(2)(C) without change.

Subdivision (h) continues former Section 2025(l)(2)(D) without change.

Subdivision (i) continues former Section 2025(l)(2)(E) without change.

Subdivision (j) continues former Section 2025(l)(2)(F) without change.

Subdivision (k) continues former Section 2025(l)(2)(G) without change.

Subdivision (l) continues former Section 2025(l)(2)(H) with revisions to encompass all types of audio and video technology, not just audiotape and videotape.

Subdivision (m) continues former Section 2025(l)(2)(I) with revisions to conform cross-references and to encompass all types of audio and video technology in the last sentence, not just audiotape and videotape.

Code Civ. Proc. § 2025.410 (added). Noncompliance with requirements for deposition notice

Comment. Subdivision (a) of Section 2025.410 continues the first sentence of former Section 2025(g) without change, except to conform the cross-references.

Subdivision (b) continues the second and third sentences of former Section 2025(g) without change, except to conform a cross-reference.

Subdivision (c) continues the second paragraph of former Section 2025(g) without substantive change.

Subdivision (d) continues the third paragraph of former Section 2025(g) without change, except to conform the cross-reference.

Code Civ. Proc. § 2025.420 (added). Motion for protective order

Comment. Subdivision (a) of Section 2025.420 continues the first paragraph of former Section 2025(i) without substantive change.

Subdivision (b) continues the second paragraph (including items (1)-(15)) of former Section 2025(i) without change, except to conform the cross-references. Subdivision (b)(16) continues the third and fourth sentences of former Section 2025(n) without substantive change.

Subdivision (c) continues the next-to-last paragraph of former Section 2025(i) without change.

Subdivision (d) continues the last paragraph of former Section 2025(i) without change, except to conform the cross-reference.

Code Civ. Proc. § 2025.430 (added). Sanctions where party giving notice of deposition fails to attend or proceed

Comment. Section 2025.430 continues former Section 2025(j)(1) without change, except to conform the cross-reference.

Code Civ. Proc. § 2025.440 (added). Sanctions where nonparty deponent fails to appear

Comment. Subdivision (a) of Section 2025.440 continues the first paragraph of former Section 2025(j)(2) without change, except to conform the cross-reference.

Subdivision (b) continues the second paragraph of former Section 2025(j)(2) without change, except to conform the cross-reference.

Code Civ. Proc. § 2025.450 (added). Sanctions where party deponent fails to appear

Comment. Subdivision (a) of Section 2025.450 continues the first sentence of former Section 2025(j)(3) without change, except to conform the cross-references.

Subdivision (b) continues the second sentence of former Section 2025(j)(3) without substantive change.

Subdivision (c) continues the third and fourth sentences of former Section 2025(j)(3) without substantive change.

Subdivision (d) continues the second paragraph of former Section 2025(j)(3) without change, except to conform the cross-references.

Code Civ. Proc. § 2025.460 (added). Waiver of error or irregularity

Comment. Subdivision (a) of Section 2025.460 continues former Section 2025(m)(1) without change, except to conform the cross-reference.

Subdivision (b) continues former Section 2025(m)(2) without change, except to conform the cross-reference.

Subdivision (c) continues former Section 2025(m)(3) without change.

Subdivision (d) continues former Section 2025(m)(4) without change, except to conform the cross-reference.

Code Civ. Proc. § 2025.470 (added). Suspension of deposition

Comment. Section 2025.470 continues the first sentence of former Section 2025(n) without substantive change. By incorporating the requirements of Section 2025.420, Section 2025.470 also continues the second sentence of former Section 2025(n) and the second paragraph of that provision without substantive change. See Sections 2025.420(a) (motion for protective order shall be accompanied by meet and confer declaration), 2025.420(d) (monetary sanction against party, person, or attorney who unsuccessfully makes or opposes motion for protective order).

Code Civ. Proc. § 2025.480 (added). Motion to compel

Comment. Subdivision (a) of Section 2025.480 continues the first sentence of former Section 2025(o) without change.

Subdivision (b) continues the second sentence of former Section 2025(o) without substantive change.

Subdivision (c) continues the third and fourth sentences of former Section 2025(o) without change.

Subdivision (d) continues the fifth and sixth sentences of former Section 2025(o) without change.

Subdivision (e) continues the seventh sentence of former Section 2025(o) without change.

Subdivision (f) continues the second paragraph of former Section 2025(o) without change, except to conform the cross-reference.

Subdivision (g) continues the third paragraph of former Section 2025(o) without change, except to replace “subdivision” with “section” and to conform the cross-references.

Code Civ. Proc. § 2025.510 (added). Transcription of testimony

Comment. Subdivision (a) of Section 2025.510 continues the first sentence of former Section 2025(p) without change.

Subdivision (b) continues the second sentence of former Section 2025(p) without change.

Subdivision (c) continues the third sentence of former Section 2025(p) without substantive change.

Subdivision (d) continues the fourth sentence of former Section 2025(p) without change.

Subdivision (e) continues the fifth and sixth sentences of former Section 2025(p) without change.

Subdivision (f) continues the seventh sentence of former Section 2025(p) without substantive change.

Subdivision (g) continues the second paragraph of former Section 2025(p) without change.

Code Civ. Proc. § 2025.520 (added). Deponent’s review of transcript

Comment. Subdivision (a) of Section 2025.520 continues the first sentence of former Section 2025(q)(1) without change.

Subdivision (b) continues the second sentence of former Section 2025(q)(1) without substantive change.

Subdivision (c) continues the first and second sentences of the second paragraph of former Section 2025(q)(1) without change.

Subdivision (d) continues the third sentence of the second paragraph of former Section 2025(q)(1) without change.

Subdivision (e) continues the first and second sentences of the third paragraph of former Section 2025(q)(1) without change.

Subdivision (f) continues the third sentence of the third paragraph of former Section 2025(q)(1) without change.

Subdivision (g) continues the fourth sentence of the third paragraph of former Section 2025(q)(1) without substantive change.

Subdivision (h) continues the fourth paragraph of former Section 2025(q)(1) without substantive change.

Code Civ. Proc. § 2025.530 (added). Deponent’s review of recording

Comment. Subdivision (a) of Section 2025.530 continues the first sentence of former Section 2025(q)(2) without change.

Subdivision (b) continues the second sentence of former Section 2025(q)(2) without substantive change.

Subdivision (c) continues the first sentence of the second paragraph of former Section 2025(q)(2) without substantive change.

Subdivision (d) continues the second sentence of the second paragraph of former Section 2025(q)(2) without substantive change.

Subdivision (e) continues the third sentence of the second paragraph of former Section 2025(q)(2) without substantive change.

Subdivision (f) continues the third paragraph of former Section 2025(q)(2) without substantive change.

Code Civ. Proc. § 2025.540 (added). Certification of transcript

Comment. Subdivision (a) of Section 2025.540 continues former Section 2025(r)(1) without change, except to conform the cross-reference.

Subdivision (b) continues former Section 2025(r)(2) without change.

Code Civ. Proc. § 2025.550 (added). Sealing of transcript

Comment. Subdivision (a) of Section 2025.550 continues the first paragraph of former Section 2025(s)(1) without change.

Subdivision (b) continues the second paragraph of former Section 2025(s)(1) without change.

Code Civ. Proc. § 2025.560 (added). Sealing of audio or video record

Comment. Subdivision (a) of Section 2025.560 continues the first paragraph of former Section 2025(s)(2) without change, except to conform the cross-reference.

Subdivision (b) continues the second paragraph of former Section 2025(s)(2) without substantive change.

Subdivision (c) continues the third paragraph of former Section 2025(s)(2) without change.

Code Civ. Proc. § 2025.570 (added). Copy of transcript, audio recording, or video recording for nonparty

Comment. Subdivision (a) of Section 2025.570 continues former Section 2025.5(a) without substantive change.

Subdivision (b) continues the first sentence of former Section 2025.5(b) without substantive change.

Subdivision (c) continues the second sentence of former Section 2025.5(b) without change.

Subdivision (d) continues former Section 2025.5(c) without change.

Code Civ. Proc. § 2025.610 (added). Subsequent deposition of same deponent

Comment. Subdivision (a) of Section 2025.610 continues the first sentence of former Section 2025(t) without change, except to conform the cross-reference.

Subdivision (b) continues the second sentence of former Section 2025(t) without substantive change.

Subdivision (c) continues the third sentence of former Section 2025(t) without substantive change.

Subdivision (d) continues the fourth sentence of former Section 2025(t) without change, except to replace “subdivision” with “section.”

Code Civ. Proc. § 2025.620 (added). Use of deposition testimony

Comment. The introductory clause of Section 2025.620 continues the introductory clause of former Section 2025(u) without change, except to conform the cross-reference.

Subdivision (a) continues former Section 2025(u)(1) without change.

Subdivision (b) continues former Section 2025(u)(2) without change, except to replace “paragraph” with “subdivision” and to conform the cross-reference.

Subdivision (c) continues former Section 2025(u)(3) without substantive change.

Subdivision (d) continues former Section 2025(u)(4) without change, except to conform the cross-references.

Subdivision (e) continues former Section 2025(u)(5) without change, except to replace “section” with “chapter.”

Subdivision (f) continues former Section 2025(u)(6) without change.

Subdivision (g) continues former Section 2025(u)(7) without change.

Code Civ. Proc. § 2026.010 (added). Oral deposition in another state or territory of the United States

Comment. Subdivision (a) of Section 2026.010 continues former Section 2026(a) without change, except to conform the cross-references.

Subdivision (b) continues former Section 2026(b)(1) without change.

Subdivision (c) continues former Section 2026(b)(2) without change.

Subdivision (d) continues the first sentence of former Section 2026(c) without substantive change.

Subdivision (e) continues the second sentence of former Section 2026(c) without substantive change.

Subdivision (f) continues the third, fourth, fifth, sixth, and seventh sentences of former Section 2026(c) without substantive change.

Code Civ. Proc. § 2027.010 (added). Oral deposition in foreign nation

Comment. Subdivision (a) of Section 2027.010 continues former Section 2027(a) without change, except to conform the cross-references.

Subdivision (b) continues former Section 2027(b)(1) without change.

Subdivision (c) continues former Section 2027(b)(2) without change.

Subdivision (d) continues the first paragraph of former Section 2027(c) without substantive change.

Subdivision (e) continues the second paragraph of former Section 2027(c) without change.

Code Civ. Proc. § 2028.010 (added). Deposition by written questions

Comment. Section 2028.010 continues former Section 2028(a) without change, except to replace “section” with “chapter” and to conform the cross-references.

Code Civ. Proc. § 2028.020 (added). Notice of written deposition

Comment. Section 2028.020 continues former Section 2028(b) without substantive change.

Code Civ. Proc. § 2028.030 (added). Direct, cross, redirect, and recross questions

Comment. Subdivision (a) of Section 2028.030 continues the first paragraph of former Section 2028(c) without change.

Subdivision (b) continues the second paragraph of former Section 2028(c) without change.

Subdivision (c) continues the third paragraph of former Section 2028(c) without change.

Subdivision (d) continues the fourth paragraph of former Section 2028(c) without change.

Subdivision (e) continues the fifth paragraph of former Section 2028(c) without change.

Code Civ. Proc. § 2028.040 (added). Objections

Comment. Subdivision (a) of Section 2028.040 continues the first and second sentences of former Section 2028(d)(1) without change.

Subdivision (b) continues the third, fourth, and fifth sentences of former Section 2028(d)(1) without substantive change.

Subdivision (c) continues the second paragraph of former Section 2028(d)(1) without change, except to conform the cross-reference.

Code Civ. Proc. § 2028.050 (added). Objection based on privilege

Comment. Subdivision (a) of Section 2028.050 continues the first and second sentences of former Section 2028(d)(2) without change, except to conform the cross-reference.

Subdivision (b) continues the third, fourth, and fifth sentences of former Section 2028(d)(2) without substantive change.

Subdivision (c) continues the second paragraph of former Section 2028(d)(2) without change, except to conform the cross-reference.

Code Civ. Proc. § 2028.060 (added). Preview of questions

Comment. Subdivision (a) of Section 2028.060 continues the first sentence of former Section 2028(e) without change.

Subdivision (b) continues the second sentence of former Section 2028(e) without change.

Code Civ. Proc. § 2028.070 (added). Court order

Comment. Section 2028.070 continues former Section 2028(f) without change, except to conform the cross-reference.

Code Civ. Proc. § 2028.080 (added). Duties of deposition officer

Comment. Section 2028.080 continues former Section 2028(g) without substantive change.

Code Civ. Proc. § 2029.010 (added). Deposition in action pending outside California

Comment. Section 2029.010 continues former Section 2029 without change.

Code Civ. Proc. § 2030.010 (added). Written interrogatories to a party

Comment. Subdivision (a) of Section 2030.010 continues former Section 2030(a) without change, except to conform the cross-references.

Subdivision (b) continues former Section 2030(c)(6) without change.

Code Civ. Proc. § 2030.020 (added). Time of propounding interrogatories

Comment. Subdivision (a) of Section 2030.020 continues the first sentence of former Section 2030(b) without change.

Subdivision (b) continues the second sentence of former Section 2030(b) without change.

Subdivision (c) continues the third sentence of former Section 2030(b) without substantive change.

Code Civ. Proc. § 2030.030 (added). Number of interrogatories

Comment. Subdivision (a) of Section 2030.030 continues the first sentence of former Section 2030(c)(1) without substantive change.

Subdivision (b) continues the second and third sentences of former Section 2030(c)(1) without change, except to conform the cross-reference.

Subdivision (c) continues the fourth sentence of former Section 2030(c)(1) without change, except to conform the cross-references.

Code Civ. Proc. § 2030.040 (added). Extra interrogatories

Comment. Subdivision (a) of Section 2030.040 continues the first paragraph of former Section 2030(c)(2) (including items (A)-(C)) without change, except to conform the cross-references.

Subdivision (b) continues the last paragraph of former Section 2030(c)(2) without change.

Code Civ. Proc. § 2030.050 (added). Declaration in support of extra interrogatories

Comment. Section 2030.050 continues former Section 2030(c)(3) without change, except to conform the cross-references.

Code Civ. Proc. § 2030.060 (added). Form and contents of interrogatories

Comment. Subdivision (a) of Section 2030.060 continues the first sentence of former Section 2030(c)(4) without change.

Subdivision (b) continues the second sentence of former Section 2030(c)(4) without change.

Subdivision (c) continues the third sentence of former Section 2030(c)(4) without change.

Subdivision (d) continues the first and second sentences of former Section 2030(c)(5) without change, except to conform the cross-reference.

Subdivision (e) continues the third sentence of former Section 2030(c)(5) without change.

Subdivision (f) continues the fourth sentence of former Section 2030(c)(5) without change.

Subdivision (g) continues former Section 2030(c)(7) without change.

Code Civ. Proc. § 2030.070 (added). Supplemental interrogatories

Comment. Subdivisions (a) and (b) of Section 2030.070 continue the first sentence of former Section 2030(c)(8) without substantive change.

Subdivision (c) continues the second sentence of former Section 2030(c)(8) without substantive change.

Code Civ. Proc. § 2030.080 (added). Service of interrogatories

Comment. Section 2030.080 continues former Section 2030(d) without substantive change.

Code Civ. Proc. § 2030.090 (added). Motion for protective order

Comment. Subdivision (a) of Section 2030.090 continues the first paragraph of former Section 2030(e) without substantive change.

Subdivision (b) continues the second paragraph of former Section 2030(e) (including items (1)-(7)) without change, except to conform the cross-references.

Subdivision (c) continues the next-to-last paragraph of former Section 2030(e) without change.

Subdivision (d) continues the last paragraph of former Section 2030(e) without substantive change.

Code Civ. Proc. § 2030.210 (added). Form of response to interrogatories

Comment. Subdivision (a) of Section 2030.210 continues the first sentence of former Section 2030(f) without substantive change.

Subdivision (b) continues the second sentence of former Section 2030(f) without change.

Subdivision (c) continues the third sentence of former Section 2030(f) without change.

Code Civ. Proc. § 2030.220 (added). Completeness of response

Comment. Subdivision (a) of Section 2030.220 continues the first sentence of former Section 2030(f)(1) without substantive change.

Subdivision (b) continues the second sentence of former Section 2030(f)(1) without change.

Subdivision (c) continues the third sentence of former Section 2030(f)(1) without change.

Code Civ. Proc. § 2030.230 (added). Answer necessitating preparation of compilation, abstract, audit, or summary

Comment. Section 2030.230 continues former Section 2030(f)(2) without change, except to replace “subdivision” with “section.”

Code Civ. Proc. § 2030.240 (added). Objection to interrogatory

Comment. Subdivision (a) of Section 2030.240 continues the first sentence of former Section 2030(f)(3) without change.

Subdivision (b) continues the second, third, and fourth sentences of former Section 2030(f)(3) without change, except to conform the cross-reference.

Code Civ. Proc. § 2030.250 (added). Signing of response to interrogatories

Comment. Subdivision (a) of Section 2030.250 continues the first sentence of former Section 2030(g) without change.

Subdivision (b) continues the second and third sentences of former Section 2030(g) without change, except to conform the cross-reference.

Subdivision (c) continues the fourth sentence of former Section 2030(g) without change.

Code Civ. Proc. § 2030.260 (added). Service of response to interrogatories

Comment. Subdivision (a) of Section 2030.260 continues the first and second sentences of former Section 2030(h) without change.

Subdivision (b) continues the third sentence of former Section 2030(h) without substantive change.

Code Civ. Proc. § 2030.270 (added). Agreement to extend time for service of response

Comment. Subdivision (a) of Section 2030.270 continues the first sentence of former Section 2030(i) without change, except to conform the cross-reference.

Subdivision (b) continues the second sentence of former Section 2030(i) without change.

Subdivision (c) continues the third sentence of former Section 2030(i) without change, except to conform the cross-reference.

Code Civ. Proc. § 2030.280 (added). Retention of original interrogatories and original response

Comment. Subdivision (a) of Section 2030.280 continues the first sentence of former Section 2030(j) without change.

Subdivision (b) continues the second and third sentences of former Section 2030(j) without change.

Code Civ. Proc. § 2030.290 (added). Failure to serve timely response

Comment. Subdivision (a) of Section 2030.290 continues the first paragraph of former Section 2030(k) without substantive change.

Subdivision (b) continues the first sentence of the second paragraph of former Section 2030(k) without change.

Subdivision (c) continues the second, third, and fourth sentences of the second paragraph of former Section 2030(k) without change, except to conform the cross-references.

Code Civ. Proc. § 2030.300 (added). Motion to compel further response

Comment. Subdivision (a) of Section 2030.300 continues the first sentence of former Section 2030(l) without substantive change.

Subdivision (b) continues the second sentence of former Section 2030(l) without substantive change.

Subdivision (c) continues the second paragraph of former Section 2030(l) without change.

Subdivision (d) continues the third paragraph of former Section 2030(l) without change, except to conform the cross-reference.

Subdivision (e) continues the fourth paragraph of former Section 2030(l) without change, except to conform the cross-references.

Code Civ. Proc. § 2030.310 (added). Amended answer to interrogatory

Comment. Subdivision (a) of Section 2030.310 continues the first paragraph of former Section 2030(m) without change, except to conform the cross-reference.

Subdivision (b) continues the first and second sentences of the second paragraph of former Section 2030(m) without substantive change.

Subdivision (c) continues the third sentence of the second paragraph of former Section 2030(m) without substantive change.

Subdivision (d) continues the third paragraph of former Section 2030(m) without change, except to conform the cross-reference.

Code Civ. Proc. § 2030.410 (added). Use of interrogatory answer

Comment. Section 2030.410 continues former Section 2030(n) without change.

Code Civ. Proc. § 2031.010 (added). Inspection and production of documents, tangible things, land, and other property

Comment. Subdivision (a) of Section 2031.010 continues the introductory paragraph of former Section 2031(a) without change, except to conform the cross-references.

Subdivision (b) continues former Section 2031(a)(1) without change.

Subdivision (c) continues former Section 2031(a)(2) without change.

Subdivision (d) continues former Section 2031(a)(3) without change.

Code Civ. Proc. § 2031.020 (added). Time of making inspection demand

Comment. Subdivision (a) of Section 2031.020 continues the first sentence of former Section 2031(b) without change.

Subdivision (b) of Section 2031.020 continues the second sentence of former Section 2031(b) without change.

Subdivision (c) continues the third sentence of former Section 2031(b) without substantive change.

Code Civ. Proc. § 2031.030 (added). Form of inspection demand

Comment. Subdivision (a) of Section 2031.030 continues the first sentence of former Section 2031(c) without change.

Subdivision (b) continues the second sentence of former Section 2031(c) without change.

Subdivision (c) continues the third sentence of former Section 2031(c) (including items (1)-(4)) without change.

Code Civ. Proc. § 2031.040 (added). Service of inspection demand

Comment. Section 2031.040 continues former Section 2031(d) without change.

Code Civ. Proc. § 2031.050 (added). Supplemental inspection demand

Comment. Subdivisions (a) and (b) of Section 2031.050 continue the first sentence of former Section 2031(e) without substantive change.

Subdivision (c) continues the second sentence of former Section 2031(e) without substantive change.

Code Civ. Proc. § 2031.060 (added). Motion for protective order

Comment. Subdivision (a) of Section 2031.060 continues the first paragraph of former Section 2031(f) without substantive change.

Subdivision (b) continues the second paragraph of former Section 2031(f) (including items (1)-(6)) without change, except to conform the cross-reference.

Subdivision (c) continues the next-to-last paragraph of former Section 2031(f) without change.

Subdivision (d) continues the last paragraph of former Section 2031(f) without change, except to conform the cross-reference.

Code Civ. Proc. § 2031.210 (added). Response to inspection demand

Comment. Subdivision (a) of Section 2031.210 continues the first paragraph of former Section 2031(g) without substantive change.

Subdivision (b) continues the first sentence of the second paragraph of former Section 2031(g) without change.

Subdivision (c) continues the second sentence of the second paragraph of former Section 2031(g) without change.

Code Civ. Proc. § 2031.220 (added). Statement of compliance with inspection demand

Comment. Section 2031.220 continues the first paragraph of former Section 2031(g)(1) without change.

Code Civ. Proc. § 2031.230 (added). Representation of inability to comply with inspection demand

Comment. Section 2031.230 continues former Section 2031(g)(2) without change.

Code Civ. Proc. § 2031.240 (added). Objection to inspection demand

Comment. Subdivision (a) of Section 2031.240 continues the first sentence of former Section 2031(g)(3) without change.

Subdivision (b) continues the second, third, and fourth sentences of former Section 2031(g)(3) without substantive change.

Code Civ. Proc. § 2031.250 (added). Signing of response to inspection demand

Comment. Subdivision (a) of Section 2031.250 continues the first sentence of former Section 2031(h) without change.

Subdivision (b) continues the second and third sentences of former Section 2031(h) without change, except to conform the cross-reference.

Subdivision (c) continues the fourth sentence of former Section 2031(h) without change.

Code Civ. Proc. § 2031.260 (added). Service of response to inspection demand

Comment. Section 2031.260 continues former Section 2031(i) without change.

Code Civ. Proc. § 2031.270 (added). Agreement to extend time for service of response

Comment. Subdivision (a) of Section 2031.270 continues the first sentence of former Section 2031(j) without change, except to conform the cross-reference.

Subdivision (b) continues the second sentence of former Section 2031(j) without change.

Subdivision (c) continues the third sentence of former Section 2031(j) without change, except to conform the cross-reference.

Code Civ. Proc. § 2031.280 (added). Manner of production

Comment. Subdivision (a) of Section 2031.280 continues the first sentence of the second paragraph of former Section 2031(g)(1) without substantive change.

Subdivision (b) continues the second sentence of the second paragraph of former Section 2031(g)(1) without change.

Code Civ. Proc. § 2031.290 (added). Retention of original inspection demand and original response

Comment. Subdivision (a) of Section 2031.290 continues the first sentence of former Section 2031(k) without change.

Subdivision (b) continues the second and third sentences of former Section 2031(k) without change.

Code Civ. Proc. § 2031.300 (added). Failure to serve timely response

Comment. The introductory clause and subdivision (a) of Section 2031.300 continue the first paragraph of former Section 2031(l) without substantive change.

Subdivision (b) continues the first sentence of the second paragraph of former Section 2031(l) without change.

Subdivision (c) continues the second, third, and fourth sentences of the second paragraph of former Section 2030(l) without change, except to conform the cross-references.

Code Civ. Proc. § 2031.310 (added). Motion to compel further response to inspection demand

Comment. Subdivision (a) of Section 2031.310 continues the first sentence of former Section 2031(m) without substantive change.

Subdivision (b) continues the second sentence of former Section 2031(m) without substantive change.

Subdivision (c) continues the second paragraph of former Section 2031(m) without change.

Subdivision (d) continues the third paragraph of former Section 2031(m) without change, except to conform the cross-reference.

Subdivision (e) continues the fourth paragraph of former Section 2031(m) without change, except to conform the cross-references.

Code Civ. Proc. § 2031.320 (added). Motion to compel compliance with inspection demand

Comment. Subdivision (a) of Section 2031.320 continues the first paragraph of former Section 2031(n) without change, except to conform the cross-reference.

Subdivision (b) continues the second paragraph of former Section 2031(n) without change, except to conform the cross-reference.

Subdivision (c) continues the third paragraph of former Section 2031(n) without change, except to conform the cross-references.

Code Civ. Proc. § 2031.510 (added). Disclosure of written evidence relating to land boundary or validity of state patent or grant

Comment. Subdivision (a) of Section 2031.510 continues the first sentence of former Section 2031.5 without substantive change.

Subdivision (b) continues the second and third sentences of former Section 2031.5 without change.

Code Civ. Proc. § 2032.010 (added). Effect of chapter

Comment. Subdivision (a) of Section 2032.010 continues the third sentence of former Section 2032(b) without change, except to replace “section” with “chapter.”

Subdivision (b) continues former Section 2032(k) without substantive change.

Code Civ. Proc. § 2032.020 (added). Physical or mental examination

Comment. Subdivision (a) of Section 2032.020 continues former Section 2032(a) without change, except to conform the cross-reference.

Subdivision (b) continues the first sentence of former Section 2032(b) without change, except to replace “section” with “chapter.”

Subdivision (c) continues the second sentence of former Section 2032(b) without change, except to replace “section” with “chapter.”

Code Civ. Proc. § 2032.210 (added). “Plaintiff” and “defendant” defined

Comment. Section 2032.210 continues former Section 2032(c)(1) without substantive change.

Code Civ. Proc. § 2032.220 (added). Demand for physical examination of personal injury plaintiff

Comment. Subdivision (a) of Section 2032.220 continues the first sentence of former Section 2032(c)(2) without substantive change.

Subdivision (b) continues the second sentence of former Section 2032(c)(2) without substantive change.

Subdivision (c) continues the third sentence of former Section 2032(c)(2) without substantive change.

Subdivision (d) continues former Section 2032(c)(3) without substantive change.

Subdivision (e) continues former Section 2032(c)(4) without substantive change.

Code Civ. Proc. § 2032.230 (added). Response to demand for physical examination of personal injury plaintiff

Comment. Subdivision (a) of Section 2032.230 continues the first sentence of former Section 2032(c)(5) without substantive change.

Subdivision (b) continues the second sentence of former Section 2032(c)(5) without substantive change.

Code Civ. Proc. § 2032.240 (added). Failure to respond to demand for physical examination of personal injury plaintiff

Comment. Subdivision (a) of Section 2032.240 continues the first paragraph of former Section 2032(c)(6) without substantive change.

Subdivision (b) continues the first sentence of the second paragraph of former Section 2032(c)(6) without change.

Subdivision (c) continues the second sentence of the second paragraph of former Section 2032(c)(6) without change, except to conform the cross-reference.

Subdivision (d) continues the third paragraph of former Section 2032(c)(6) without change, except to conform the cross-references.

Code Civ. Proc. § 2032.250 (added). Motion to compel compliance with demand for physical examination after receiving response of personal injury plaintiff

Comment. Subdivision (a) of Section 2032.250 continues the first paragraph of former Section 2032(c)(7) without substantive change.

Subdivision (b) continues the second paragraph of former Section 2032(c)(7) without change, except to conform the cross-reference.

Code Civ. Proc. § 2032.260 (added). Retention of original demand for physical examination and original response

Comment. Subdivision (a) of Section 2032.260 continues the first sentence of former Section 2032(c)(8) without substantive change.

Subdivision (b) continues the second sentence of former Section 2032(c)(8) without change.

Code Civ. Proc. § 2032.310 (added). Motion for physical or mental examination

Comment. Subdivision (a) of Section 2032.310 continues the first sentence of former Section 2032(d) without change, except to conform the cross-reference.

Subdivision (b) continues the second and third sentences of former Section 2032(d) without substantive change.

Subdivision (c) continues the fourth sentence of former Section 2032(d) without change.

Code Civ. Proc. § 2032.320 (added). Order on motion for physical or mental examination

Comment. Subdivision (a) of Section 2032.320 continues the first sentence of the second paragraph of former Section 2032(d) without substantive change.

Subdivisions (b) and (c) continue the second sentence of the second paragraph of former Section 2032(d) without substantive change.

Subdivision (d) continues the third sentence of the second paragraph of former Section 2032(d) without substantive change.

Subdivision (e) continues the fourth sentence of the second paragraph of former Section 2032(d) without substantive change.

Code Civ. Proc. § 2032.410 (added). Failure to submit to physical or mental examination

Comment. Section 2032.410 continues the first paragraph of former Section 2032(f) without substantive change.

Code Civ. Proc. § 2032.420 (added). Failure to produce another for physical or mental examination

Comment. Section 2032.420 continues the second paragraph of former Section 2032(f) without substantive change.

Code Civ. Proc. § 2032.510 (added). Observation of examination by attorney or representative

Comment. Subdivision (a) of Section 2032.510 continues the first sentence of former Section 2032(g)(1) without change.

Subdivision (b) continues the second sentence of former Section 2032(g)(1) without substantive change.

Subdivision (c) continues the third sentence of the first paragraph of former Section 2032(g)(1) without change.

Subdivision (d) continues the first sentence of the second paragraph of former Section 2032(g)(1) without change.

Subdivision (e) continues the second sentence of the second paragraph of former Section 2032(g)(1) without change.

Subdivision (f) continues the third paragraph of former Section 2032(g)(1) without substantive change.

Code Civ. Proc. § 2032.520 (added). X-rays

Comment. Section 2032.520 continues the fourth paragraph of former Section 2032(g)(1) without substantive change.

Code Civ. Proc. § 2032.530 (added). Recording of mental examination

Comment. Subdivision (a) of Section 2032.530 continues the first sentence of former Section 2032(g)(2) without substantive change.

Subdivision (b) continues the second sentence of former Section 2032(g)(2) without substantive change.

Code Civ. Proc. § 2032.610 (added). Delivery of reports to examinee or party who produced examinee

Comment. Subdivision (a) of Section 2032.610 continues the first sentence of former Section 2032(h) without substantive change.

Subdivision (b) continues the second sentence of former Section 2032(h) without substantive change.

Subdivision (c) continues the third sentence of former Section 2032(h) without substantive change.

Code Civ. Proc. § 2032.620 (added). Failure to deliver reports to examinee or party who produced examinee

Comment. Subdivision (a) of Section 2032.620 continues the second paragraph of former Section 2032(h) without substantive change.

Subdivision (b) continues the third paragraph of former Section 2032(h) without substantive change.

Subdivision (c) continues the fourth paragraph of former Section 2032(h) without change, except to conform the cross-references.

Code Civ. Proc. § 2032.630 (added). Waiver

Comment. Section 2032.630 continues former Section 2302(i) without change, except to conform the cross-references.

Code Civ. Proc. § 2032.640 (added). Exchange of other reports

Comment. Section 2032.640 continues the first paragraph of former Section 2032(j) without change, except to conform the cross-reference.

Code Civ. Proc. § 2032.650 (added). Failure to exchange other reports

Comment. Subdivision (a) of Section 2032.650 continues the second paragraph of former Section 2032(j) without substantive change.

Subdivision (b) continues the third paragraph of former Section 2032(j) without substantive change.

Subdivision (c) continues the fourth paragraph of former Section 2032(j) without change, except to conform the cross-references.

Code Civ. Proc. § 2033.010 (added). Request for admissions

Comment. Section 2033.010 continues former Section 2033(a) without change, except to conform the cross-references.

Code Civ. Proc. § 2033.020 (added). Time of making request for admissions

Comment. Subdivision (a) of Section 2033.020 continues the first sentence of former Section 2033(b) without change.

Subdivision (b) continues the second sentence of former Section 2033(b) without change.

Subdivision (c) continues the third sentence of former Section 2033(b) without substantive change.

Code Civ. Proc. § 2033.030 (added). Number of requests for admission

Comment. Subdivision (a) of Section 2033.030 continues the first sentence of former Section 2033(c)(1) without change.

Subdivision (b) continues the second sentence of former Section 2033(c)(1) without change, except to conform the cross-references.

Subdivision (c) continues the second paragraph of former Section 2033(c)(1) without change.

Code Civ. Proc. § 2033.040 (added). Extra requests for admission

Comment. Subdivision (a) of Section 2033.040 continues the first paragraph of former Section 2033(c)(2) without change, except to conform the cross-references.

Subdivision (b) continues the second paragraph of former Section 2033(c)(2) without change.

Code Civ. Proc. § 2033.050 (added). Declaration in support of extra requests for admission

Comment. Section 2033.050 continues former Section 2033(c)(3) without change, except to conform the cross-references.

Code Civ. Proc. § 2033.060 (added). Form of request for admissions

Comment. Subdivision (a) of Section 2033.060 continues the first sentence of former Section 2033(c)(4) without change.

Subdivision (b) continues the second sentence of former Section 2033(c)(4) without substantive change.

Subdivision (c) continues the third sentence of former Section 2033(c)(4) without change.

Subdivision (d) continues the first and second sentences of former Section 2033(c)(5) without change, except to conform the cross-reference.

Subdivision (e) continues the third sentence of former Section 2033(c)(5) without change.

Subdivision (f) continues the fourth sentence of former Section 2033(c)(5) without change, except to conform the cross-reference.

Subdivision (g) continues former Section 2033(c)(6) without change.

Subdivision (h) continues former Section 2033(c)(7) without change.

Code Civ. Proc. § 2033.070 (added). Service of request for admissions

Comment. Section 2033.070 continues former Section 2033(d) without change.

Code Civ. Proc. § 2033.080 (added). Motion for protective order

Comment. Subdivision (a) of Section 2033.080 continues the first paragraph of former Section 2033(e) without substantive change.

Subdivision (b) continues the second paragraph of former Section 2033(e) (including items (1)-(5)) without change, except to conform the cross references.

Subdivision (c) continues the next-to-last paragraph of former Section 2033(e) without change.

Subdivision (d) continues the last paragraph of former Section 2033(e) without substantive change.

Code Civ. Proc. § 2033.210 (added). Response to request for admissions

Comment. Subdivision (a) of Section 2033.210 continues the first sentence of the introductory paragraph of former Section 2033(f) without change.

Subdivision (b) continues the second sentence of the introductory paragraph of former Section 2033(f) without change.

Subdivision (c) continues the third sentence of the introductory paragraph of former Section 2033(f) without change.

Subdivision (d) continues the fourth sentence of the introductory paragraph of former Section 2033(f) without change.

Code Civ. Proc. § 2033.220 (added). Answer to request for admission

Comment. Subdivision (a) of Section 2033.220 continues the first sentence of former Section 2033(f)(1) without substantive change.

Subdivision (b) continues the second sentence of former Section 2033(f)(1) without substantive change.

Subdivision (c) continues the third sentence of former Section 2033(f)(1) without change.

Code Civ. Proc. § 2033.230 (added). Objection to request for admission

Comment. Subdivision (a) of Section 2033.230 continues the first sentence of former Section 2033(f)(2) without change.

Subdivision (b) continues the second, third, and fourth sentences of former Section 2033(f)(2) without change, except to conform the cross-reference.

Code Civ. Proc. § 2033.240 (added). Signing of response to request for admissions

Comment. Subdivision (a) of Section 2033.240 continues the first sentence of former Section 2033(g) without change.

Subdivision (b) continues the second and third sentences of former Section 2033(g) without change, except to conform the cross-reference.

Subdivision (c) continues the fourth sentence of former Section 2033(g) without change.

Code Civ. Proc. § 2033.250 (added). Service of response to request for admissions

Comment. Section 2033.250 continues former Section 2033(h) without change.

Code Civ. Proc. § 2033.260 (added). Agreement to extend time for service of response

Comment. Subdivision (a) of Section 2033.260 continues the first sentence of former Section 2033(i) without change, except to conform the cross-reference.

Subdivision (b) continues the second sentence of former Section 2033(i) without change.

Subdivision (c) continues the third sentence of former Section 2033(i) without change, except to conform the cross-reference.

Subdivision (d) continues the fourth sentence of former Section 2033(i) without change.

Code Civ. Proc. § 2033.270 (added). Retention of original request for admissions and original response

Comment. Subdivision (a) of Section 2033.270 continues the first sentence of former Section 2033(j) without change.

Subdivision (b) continues the second and third sentences of former Section 2033(j) without change.

Code Civ. Proc. § 2033.280 (added). Failure to serve timely response

Comment. Subdivision (a) of Section 2033.280 continues the first paragraph of former Section 2033(k) without substantive change.

Subdivision (b) continues the first sentence of the second paragraph of former Section 2033(k) without change, except to conform the cross-reference.

Subdivision (c) continues the second and third sentences of the second paragraph of former Section 2033(k) without change, except to conform the cross-references.

Code Civ. Proc. § 2033.290 (added). Motion to compel further response

Comment. Subdivision (a) of Section 2033.290 continues the first sentence of former Section 2033(l) without substantive change.

Subdivision (b) continues the second sentence of former Section 2033(l) without substantive change.

Subdivision (c) continues the second paragraph of former Section 2033(l) without change.

Subdivision (d) continues the third paragraph of former Section 2033(l) without change, except to conform the cross-reference.

Subdivision (e) continues the fourth paragraph of former Section 2033(l) without change, except to conform the cross-reference.

Code Civ. Proc. § 2033.300 (added). Withdrawal or amendment of admission

Comment. Subdivision (a) of Section 2033.300 continues the first sentence of former Section 2033(m) without change.

Subdivision (b) continues the second sentence of former Section 2033(m) without change.

Subdivision (c) continues the third sentence of former Section 2033(m) without substantive change.

Code Civ. Proc. § 2033.410 (added). Effect of admission

Comment. Subdivision (a) of Section 2033.410 continues the first sentence of former Section 2033(n) without change, except to conform the cross-reference.

Subdivision (b) continues the second and third sentences of former Section 2033(n) without substantive change.

Code Civ. Proc. § 2033.420 (added). Failure to admit fact proven to be true

Comment. Subdivision (a) of Section 2033.420 continues the first sentence of former Section 2033(o) without change, except to replace “section” with “chapter.”

Subdivision (b) continues the second sentence of former Section 2033(o) without substantive change.

Code Civ. Proc. § 2033.710 (added). Judicial Council to develop form interrogatories and requests for admission

Comment. Section 2033.710 continues the first sentence of former Section 2033.5(a) without change.

Code Civ. Proc. § 2033.720 (added). Form interrogatories for use by victim who has not received complete payment of restitution order

Comment. Subdivision (a) of Section 2033.720 continues former Section 2033.5(d) without change.

Subdivision (b) continues former Section 2033.5(e) without change.

Code Civ. Proc. § 2033.730 (added). Procedures for development of form interrogatories and requests for admission

Comment. Subdivision (a) of Section 2033.730 continues the first sentence of former Section 2033.5(b) without substantive change.

Subdivision (b) continues the first clause of the second sentence of former Section 2033.5(b) without substantive change.

Code Civ. Proc. § 2033.740 (added). Procedures for use of form interrogatories and requests for admission

Comment. Subdivision (a) of Section 2033.740 continues the second sentence of former Section 2033.5(a) without substantive change.

Subdivision (b) continues the second clause of the second sentence of former Section 2033.5(b) without substantive change.

Subdivision (c) continues former Section 2033.5(c) without substantive change.

Code Civ. Proc. § 2034.010 (added). Application of chapter

Comment. Section 2034.010 continues the last paragraph of former Section 2034(a) without change, except to replace “section” with “chapter.”

Code Civ. Proc. § 2034.210 (added). Simultaneous exchange of information concerning expert trial witnesses

Comment. The introductory clause of Section 2034.210 continues the introductory clause of former Section 2034(a) without change.

Subdivision (a) continues former Section 2034(a)(1) without change.

Subdivision (b) continues former Section 2034(a)(2) without change, except to conform the cross-references.

Subdivision (c) continues former Section 2034(a)(3) without change, except to conform the cross-reference.

Code Civ. Proc. § 2034.220 (added). Time of demanding exchange of expert witness information

Comment. Section 2034.220 continues former Section 2034(b) (as amended by 2004 Cal. Stat. ch. 171, § 6) without change, except to delete the third sentence as surplusage. See Section 2016.060 (computation of time when last day falls on Saturday, Sunday, or holiday).

Code Civ. Proc. § 2034.230 (added). Form and content of demand for exchange of expert witness information

Comment. Subdivision (a) of Section 2034.230 continues the first paragraph of former Section 2034(c) without change, except to replace “section” with “chapter.”

Subdivision (b) continues the second paragraph of former Section 2034(c) (as amended by 2004 Cal. Stat. ch. 171, § 6) without change, except to delete the third sentence as surplusage. See Section 2016.060 (computation of time when last day falls on Saturday, Sunday, or holiday).

Code Civ. Proc. § 2034.240 (added). Service of demand for exchange of expert witness information

Comment. Section 2034.240 continues former Section 2034(d) without change.

Code Civ. Proc. § 2034.250 (added). Motion for protective order

Comment. Subdivision (a) of Section 2034.250 continues the first paragraph of former Section 2034(e) without substantive change.

Subdivision (b) continues the second paragraph of former Section 2034(e) (including items (1)-(6)) without change, except to conform the cross-references.

Subdivision (c) continues the next-to-last paragraph of former Section 2034(e) without change.

Subdivision (d) continues the last paragraph of former Section 2034(e) without substantive change.

Code Civ. Proc. § 2034.260 (added). Manner of exchanging expert witness information

Comment. Subdivision (a) of Section 2034.260 continues the introductory paragraph of former Section 2034(f) without change.

Subdivision (b) continues former Section 2034(f)(1) (including items (A) and (B)) without change.

Subdivision (c) continues former Section 2034(f)(2) (including items (A)-(E)) without change, except to conform the cross-reference.

Code Civ. Proc. § 2034.270 (added). Exchange of reports and writings

Comment. Section 2034.270 continues former Section 2034(g) without change, except to conform the cross-references.

Code Civ. Proc. § 2034.280 (added). Supplemental expert witness list

Comment. Subdivision (a) of Section 2034.280 continues the first sentence of former Section 2034(h) without change, except to conform the cross-reference.

Subdivision (b) continues the second sentence of former Section 2034(h) without change, except to conform the cross-reference.

Subdivision (c) continues the third sentence of former Section 2034(h) without change, except to conform the cross-references.

Code Civ. Proc. § 2034.290 (added). Retention of original demand for exchange of expert witness information and original response

Comment. Subdivision (a) of Section 2034.290 continues the first sentence of former Section 2034(n) without substantive change.

Subdivision (b) continues the second and third sentences of former Section 2034(n) without change.

Subdivision (c) continues the fifth sentence of the first paragraph of former Section 2034(k) without substantive change.

Code Civ. Proc. § 2034.300 (added). Exclusion of expert opinion

Comment. Section 2034.300 continues former Section 2034(j) without change, except to conform the cross-references.

Code Civ. Proc. § 2034.310 (added). Calling expert not previously designated

Comment. Section 2034.310 continues former Section 2034(m) without substantive change.

Code Civ. Proc. § 2034.410 (added). Deposition of expert witness

Comment. Section 2034.410 continues the introductory paragraph of former Section 2034(i) without substantive change.

Code Civ. Proc. § 2034.420 (added). Place of expert witness deposition

Comment. Section 2034.420 continues former Section 2034(i)(1) without substantive change.

Code Civ. Proc. § 2034.430 (added). Fee for deposing expert witness

Comment. Subdivisions (a) and (b) of Section 2034.430 continue the first sentence of the first paragraph of former Section 2034(i)(2) without substantive change.

Subdivision (c) continues the second sentence of the first paragraph of former Section 2034(i)(2) without change.

Subdivision (d) continues the third sentence of the first paragraph of former Section 2034(i)(2) without substantive change.

Subdivision (e) continues the fourth sentence of the first paragraph of former Section 2034(i)(2) without substantive change.

Subdivision (f) continues the fifth sentence of the first paragraph of former Section 2034(i)(2) without substantive change.

Code Civ. Proc. § 2034.440 (added). Other fees associated with deposition of expert witness

Comment. Section 2034.440 continues the fourth sentence of the second paragraph of former Section 2034(i)(2) without substantive change.

Code Civ. Proc. § 2034.450 (added). Process for payment of fee for deposing expert witness

Comment. Subdivision (a) of Section 2034.450 continues the first sentence of the second paragraph of former Section 2034(i)(2) without substantive change.

Subdivision (b) continues the second sentence of the second paragraph of former Section 2034(i)(2) without change.

Subdivision (c) continues the third sentence of the second paragraph of former Section 2034(i)(2) without change.

Code Civ. Proc. § 2034.460 (added). Production of expert

Comment. Subdivision (a) of Section 2034.460 continues the first sentence of former Section 2034(i)(3) without change, except to conform the cross-reference.

Subdivision (b) continues the second sentence of former Section 2034(i)(3) without change, except to conform the cross-reference.

Code Civ. Proc. § 2034.470 (added). Motion to set compensation of expert

Comment. Subdivision (a) of Section 2034.470 continues the first and third sentences of the first paragraph of former Section 2034(i)(4) without change, except to replace “subdivision” with “article.”

Subdivision (b) continues the second and fourth sentences of the first paragraph of former Section 2034(i)(4) without substantive change.

Subdivisions (c) and (d) continue the first and second sentences of the second paragraph of former Section 2034(i)(4) without substantive change.

Subdivision (e) continues the third sentence of the second paragraph of former Section 2034(i)(4) without change.

Subdivision (f) continues the third paragraph of former Section 2034(i)(4) without change.

Subdivision (g) continues the fourth paragraph of former Section 2034(i)(4) without change, except to conform the cross-reference.

Code Civ. Proc. § 2034.610 (added). Motion to augment or amend expert witness list or declaration

Comment. Subdivision (a) of Section 2034.610 continues the first sentence of the first paragraph of former Section 2034(k) without substantive change.

Subdivision (b) continues the second and third sentences of the first paragraph of former Section 2034(k) without substantive change.

Subdivision (c) continues the fourth sentence of the first paragraph of former Section 2034(k) without substantive change.

Code Civ. Proc. § 2034.620 (added). Order on motion to augment or amend expert witness list or declaration

Comment. The introductory clause and subdivisions (a), (b), and (c) of Section 2034.620 continue the sixth sentence of the first paragraph of former Section 2034(k) without substantive change.

Subdivision (d) continues the seventh sentence of the first paragraph of former Section 2034(k) without substantive change.

Code Civ. Proc. § 2034.630 (added). Monetary sanction for unsuccessfully making or opposing motion to augment or amend expert witness information

Comment. Section 2034.630 continues the second paragraph of former Section 2034(k) without change, except to conform the cross-reference.

Code Civ. Proc. § 2034.710 (added). Motion to submit tardy expert witness information

Comment. Subdivision (a) of Section 2034.710 continues the first sentence of former Section 2034(l) without change.

Subdivision (b) continues the second and third sentences of former Section 2034(l) without substantive change.

Subdivision (c) continues the fourth sentence of former Section 2034(I) without substantive change.

Code Civ. Proc. § 2034.720 (added). Order on motion to submit tardy expert witness information

Comment. The introductory clause and subdivisions (a), (b), and (c) of Section 2034.720 continue the first sentence of the second paragraph of former Section 2034(I) without substantive change.

Subdivision (d) continues the second sentence of the second paragraph of former Section 2034(I) without substantive change.

Code Civ. Proc. § 2034.730 (added). Monetary sanction for unsuccessfully making or opposing motion to submit tardy expert witness information

Comment. Section 2034.730 continues the third paragraph of former Section 2034(I) without change, except to conform the cross-reference.

Code Civ. Proc. § 2035.010 (added). Perpetuation of testimony or preservation of evidence before filing action

Comment. Subdivision (a) of Section 2035.010 continues the first sentence of former Section 2035(a) without change, except to conform the cross-references.

Subdivision (b) continues the second sentence of former Section 2035(a) without change, except to replace “section” with “chapter.”

Code Civ. Proc. § 2035.020 (added). Methods of discovery

Comment. Section 2035.020 continues former Section 2035(b) without substantive change.

Code Civ. Proc. § 2035.030 (added). Petition

Comment. Subdivision (a) of Section 2035.030 continues former Section 2035(c) without change, except to conform the cross-reference.

Subdivision (b) continues the first paragraph (including items (1)-(9)) of former Section 2035(d) without change, except to conform the cross-reference.

Subdivision (c) continues the last paragraph of former Section 2035(d) without change.

Code Civ. Proc. § 2035.040 (added). Service of notice of petition

Comment. Subdivision (a) of Section 2035.040 continues the first and second sentences of former Section 2035(e) without substantive change.

Subdivision (b) continues the third and fourth sentences of former Section 2035(e) without change.

Subdivision (c) continues the fifth sentence of former Section 2035(e) without change.

Subdivision (d) continues the first sentence of the second paragraph of former Section 2035(e) without change.

Subdivision (e) continues the second and third sentences of the second paragraph of former Section 2035(e) without change.

Code Civ. Proc. § 2035.050 (added). Court order

Comment. Subdivision (a) of Section 2035.050 continues the first sentence of former Section 2035(f) without substantive change.

Subdivision (b) continues the second sentence of former Section 2035(f) without change.

Subdivision (c) continues the third sentence of former Section 2035(f) without change, except to replace “article” with “title.”

Code Civ. Proc. § 2035.060 (added). Use of presuit deposition to perpetuate testimony

Comment. Section 2035.060 continues former Section 2035(g) without change, except to replace “section” with “chapter” and to conform the cross-reference.

Code Civ. Proc. § 2036.010 (added). Perpetuation of testimony or preservation of information pending appeal

Comment. Section 2036.010 continues former Section 2036(a) without change, except to conform the cross-references.

Code Civ. Proc. § 2036.020 (added). Methods of discovery

Comment. Section 2036.020 continues former Section 2036(b) without substantive change.

Code Civ. Proc. § 2036.030 (added). Motion for leave to conduct discovery pending appeal

Comment. Subdivision (a) of Section 2036.030 continues former Section 2036(c) without change.

Subdivision (b) continues former Section 2036(d) without substantive change.

Code Civ. Proc. § 2036.040 (added). Court order

Comment. Subdivision (a) of Section 2036.040 continues the first sentence of former Section 2036(e) without substantive change.

Subdivision (b) continues the second sentence of former Section 2036(e) without change.

Subdivision (c) continues the third sentence of former Section 2036(e) without change, except to replace “article” with “title.”

Code Civ. Proc. § 2036.050 (added). Use of deposition to perpetuate testimony pending appeal

Comment. Section 2036.050 continues former Section 2036(f) without change, except to replace “section” with “chapter” and to conform the cross-reference.

Code Civ. Proc. § 2093 (amended). Authority to administer oath or affirmation

Comment. Subdivision (b) of Section 2093 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

CORPORATIONS CODE

Corp. Code § 174.5 (amended). “Other business entity” defined

Comment. Section 174.5 is amended to correct a cross-reference to former Section 24000.

Corp. Code § 5063.5 (amended). “Other business entity” defined

Comment. Section 5063.5 is amended to correct a cross-reference to former Section 24000.

Corp. Code § 12242.5 (amended). “Other business entity” defined

Comment. Section 12242.5 is amended to correct a cross-reference to former Section 24000.

Corp. Code § 15800 (amended). Designation of agent for service of process

Comment. Section 15800 is amended to correct cross-references to former Section 24003. Subdivision designations have been added for ease of reference.

Corp. Code § 16309 (added). Designation of agent for service of process

Comment. Section 16309 is new. Similar provisions govern designation of an agent for service of process by other types of unincorporated business entities. See Sections 15627(d) (limited partnership), 16962(a) (limited liability partnership), 17061(d) (limited liability company).

Corp. Code § 16310 (added). Service of process on designated agent

Comment. Section 16310 is new. Similar provisions govern service of process on other types of unincorporated business entities. See Sections 15627(a)-(b) (limited partnership), 16962(b)-(f) (limited liability partnership), 17061(a)-(c) (limited liability company).

Corp. Code § 18000 (added). Application of definitions

Comment. Section 18000 is new.

Corp. Code § 18005 (added). Director

Comment. Section 18005 is new. See also Sections 8 (“writing” defined), 18015 (“member” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18010 (added). Governing principles

Comment. Section 18010 is new. See also Sections 8 (“writing” defined), 18015 (“member” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18015 (added). Member

Comment. Section 18015 is new. Subdivision (a) recognizes the authority of an unincorporated association to determine its own membership requirements. Nothing in this subdivision is intended to authorize unlawful discrimination by an unincorporated association in its membership policy.

Subdivision (b) is drawn from Section 1(1) of the Uniform Unincorporated Nonprofit Association Act (1996). However, subdivision (b) adds an exception for a person who participates in association decisionmaking solely as a director, officer, or agent of the association. This does not preclude a director, officer, or agent from being a member, if that person qualifies as a member for another reason. For example, if an association’s employee assists in developing association policy, that participation does not make the employee a member of the association. However, the fact that the employee serves as an agent of the association does not preclude the employee from being a member under subdivision (a).

See also Sections 18005 (“director” defined), 18010 (“governing principles” defined), 18025 (“officer” defined), 18030 (“person” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18020 (added). Nonprofit association

Comment. Subdivision (a) of Section 18020 defines “nonprofit association” for the purpose of this title. See Section 18035 (“unincorporated association” defined). *Cf.* Sections 16101(7) (“partnership” defined), 16202 (formation of partnership). Unincorporated associations organized primarily to carry on a business for profit include a business trust, real estate investment trust, and joint stock association.

Subdivision (b) recognizes that a nonprofit entity may carry on some for-profit business activity. See, e.g., Sections 5140(*l*) (powers of nonprofit public benefit corporation), 7140(*l*) (powers of nonprofit mutual benefit corporation).

Corp. Code § 18025 (added). Officer

Comment. Section 18025 is new. See also Sections 18010 (“governing principles” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18030 (added). Person

Comment. Section 18030 continues and generalizes former Section 24000(b). See also Section 18 (“person” defined for purposes of code).

Corp. Code § 18035 (added). Unincorporated association

Comment. Subdivision (a) of Section 18035 is drawn from former Section 24000. Subdivision (b) is drawn from Section 16202(c)(1). Subdivision (c) makes clear that marriage or creation of a registered domestic partnership does not by itself create an unincorporated association. This does not prevent spouses or domestic partners from forming an unincorporated association for any purpose beyond the purposes inherent in marriage or registered domestic partnership. See also Sections 18030 (“person” defined), 18055 (exempt persons), 18060 (relation to other law).

Corp. Code § 18055 (added). Exempt persons

Comment. Section 18055 lists entities that are not subject to this title because they are governed by other law. Subdivision (b) is drawn from former Section 24000. Section 18200(g) provides an exception to the general rule provided in this section.

Corp. Code § 18060 (added). Relation to other law

Comment. Section 18060 is new. It makes clear that the general provisions of this title are subordinate to entity-specific statutes. For example, Section 18105 authorizes an unincorporated association to own property. Insurance Code Section 9089 provides a more restrictive property ownership rule specific to a fraternal fire insurer. An unincorporated fraternal fire insurer would be subject to both sections. To the extent they are inconsistent, Insurance Code Section 9089 would prevail. See also Section 18035 (“unincorporated association” defined).

Corp. Code § 18065 (added). Relation to law of agency

Comment. Section 18065 is new. See also Sections 18035 (“unincorporated association” defined), 18615 (contract liability of agent of nonprofit association), 18620 (tort liability).

Corp. Code § 18070 (added). Continuation and restatement of prior law

Comment. The first part of Section 18070 is drawn from Section 2. The last clause makes clear that a statutory reference to a new provision of this title includes a reference to the former law from which it is drawn. *Cf.* Gov’t Code § 9604 (reference to previously existing provision deemed reference to restatement or continuation).

Corp. Code § 18100 (added). Membership interest is personal property

Comment. Section 18100 continues former Section 20000 without substantive change. A member has no property interest in association assets that are dedicated to a public or charitable purpose. See also Sections 18015 (“member” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18105 (added). Property powers

Comment. Section 18105 continues the substance of former Section 20001, except that the limitation on the permissible purpose for which property is acquired, held, managed, encumbered, or transferred is not continued. Under this section, an unincorporated association has all of the powers granted under former Section 20001, including the power to purchase, receive, own, hold, lease, mortgage, pledge, or encumber, by deed of trust or otherwise, manage, and sell property. See also Section 18035 (“unincorporated association” defined).

Corp. Code § 18110 (added). Association property

Comment. Section 18110 is new. See also Sections 18015 (“member” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18115 (added). Execution of real property acquisition, transfer, or encumbrance

Comment. Section 18115 continues the first paragraph of former Section 20002 without substantive change, except that the special, more restrictive, rule for fraternal or benevolent societies and labor organizations has not been continued. These organizations are now subject to the same rule as any other form of unincorporated association. See also Sections 18025 (“officer” defined), 18030 (“person” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18120 (added). Statement of authority

Comment. Section 18120 continues the substance of the second paragraph of former Section 20002. Subdivision (b) is new.

Former Section 20002 incorporated definitions set out in former Section 15010.5. The obsolete definitions have not been continued. See also Sections 18005 (“director” defined), 18015 (“member” defined), 18025 (“officer” defined), 18030 (“person” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18125 (added). Limit on assertion of unauthorized action

Comment. Section 18125 is drawn from Section 208(a). It protects third parties from claims that an action of an unincorporated association is unauthorized or improperly executed. See also Sections 18005 (“director” defined), 18015 (“member” defined), 18025 (“officer” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18130 (added). Disposition of assets of dissolved association

Comment. Section 18130 is new. It provides rules for distribution of assets of a dissolving unincorporated association that remain after the association has satisfied its known debts and liabilities.

Subdivision (a) is drawn from Section 8715.

Subdivision (b) governs distribution of assets that are held in trust and are not subject to a valid condition requiring return, transfer, or conveyance. See *Lynch v. Spilman*, 67 Cal. 2d 251, 260, 431 P.2d 636, 62 Cal. Rptr. 12 (1967) (“property transferred to a corporation or other institution organized for a charitable purpose without a declaration of the use to which the property is to be put, is received and held by it ‘in trust to carry out the objects for which the organization was created.’”) (citations omitted).

Subdivision (c) governs assets that are not subject to a valid condition requiring return, transfer, or conveyance, and are not subject to a trust. It is consistent with the holding in *Holt v. Santa Clara County Sheriff’s Benefit Ass’n*, 250 Cal. App. 2d 925, 932, 59 Cal. Rptr. 180 (1967) (“It is the general rule that upon the dissolution of a voluntary association its property should be distributed pro-rata among its members unless otherwise provided by its constitution or by-laws.”) (citations omitted).

Section 18060 provides that a statute specific to a particular type of unincorporated association prevails over a provision of this title, to the extent of any inconsistency. For example, a statutory rule governing disposition of the property of a dissolved cemetery association would prevail over provisions of this section, to the extent of any inconsistency. See, e.g., Health & Safety Code §§ 7925 (limitation on proceeds of sale of cemetery land), 8825-8829 (dedication of pioneer memorial park).

See also Sections 18010 (“governing principles” defined), 18015 (“member” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18135 (added). Recovery of distributed assets

Comment. Section 18135 is new. See also Sections 18015 (“member” defined), 18030 (“person” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18200 (added). Statement of unincorporated association

Comment. Section 18200 continues former Section 24003 without substantive change. Subdivision (g) is added as a transitional provision to make clear that this chapter applies to a statement filed by a partnership under former Section 24003, despite language in Section 18055 providing that this title does not apply to a partnership. See Sections 16309-16310 (partnership’s designation of agent for service of process). See also Section 18035 (“unincorporated association” defined).

Corp. Code § 18205 (added). Numbering, filing, and indexing of statements

Comment. Section 18205 continues former Section 24004 without substantive change. See also Section 18030 (“person” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18210 (added). Revocation or resignation of agency

Comment. Section 18210 continues former Section 24005 without substantive change. See also Section 18035 (“unincorporated association” defined).

Corp. Code § 18215 (added). Notice of expiration

Comment. Section 18215 continues former Section 24006 without substantive change. See also Section 18035 (“unincorporated association” defined).

Corp. Code § 18220 (added). Service of process on unincorporated associations in certain cases

Comment. Section 18220 continues former Section 24007 without substantive change. See also Sections 18015 (“member” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18250 (added). Liability of unincorporated association

Comment. Section 18250 continues the substance of former Section 24001, with two exceptions:

(1) Language providing that former Section 24001 did not affect the liability of an association to a member of the association has not been continued. It is now clear that an unincorporated association may be liable to a member of the association. See *Marshall v. ILWU*, 57 Cal. 2d 781, 371 P.2d 987, 22 Cal. Rptr. 211 (1962) (member can sue labor union for negligent acts that member neither participated in nor authorized); *White v. Cox*, 17 Cal. App. 3d 824, 828, 95 Cal. Rptr. 259 (1971) (“unincorporated associations are now entitled to general recognition as separate legal entities and ... as a consequence a member of an unincorporated association may maintain a tort action against his association.”).

(2) The phrase “except as otherwise provided by statute” has been broadened. Both statutory and common law limitations on the liability of an unincorporated association should govern. For example, in *Lamden v. La Jolla Shores Clubdominium Homeowners Ass’n*, 21 Cal. 4th 249, 253, 980 P.2d 940, 87 Cal. Rptr. 237 (1999), the court held that courts should defer to a decision of a duly-constituted community association board, where the board, “upon reasonable investigation, in good faith and with regard for the best interests of the community association and its members, exercises discretion within the scope of its authority under relevant statutes, covenants and restrictions to select among means for discharging an obligation to maintain and repair a development’s common areas....” Section 18250 does not override the rule stated in that case.

See also Sections 18005 (“director” defined), 18025 (“officer” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18260 (added). Enforcement of money judgment against unincorporated association

Comment. Section 18260 continues former Section 24002 without substantive change. Nothing in the section precludes the plaintiff from also resorting to the individual property of a member of the association to satisfy a judgment against the member in a case where the member was also a party defendant. See also Sections 18035 (“unincorporated association” defined), 18270 (enforcement of judgment against member, officer, or agent of nonprofit association).

Corp. Code § 18270 (added). Enforcement of judgment against member, officer, or agent

Comment. Section 18270 is drawn from Section 16307(d). In general, a judgment against an unincorporated association can only be satisfied from the property of the association. See Section 18250. However, if there is also a judgment against a member, officer, or agent of the unincorporated association that is based on the same claim as the judgment against the unincorporated association, the judgment against the member, officer, or agent may be satisfied from that person’s assets pursuant to this section. See also Sections 18015 (“member” defined), 18025 (“officer” defined), 18035 (“unincorporated association” defined).

Corp. Code § 18605 (added). No liability based solely on membership or agency

Comment. Section 18605 codifies the general rule that a member of an unincorporated nonprofit association is not liable for the association’s debts, obligations, or liabilities solely by reason of membership. See *Security-First National Bank of Los Angeles v. Cooper*, 62 Cal. App. 2d 653, 667, 145 P.2d 722 (1944) (“Membership, as such, imposes no personal liability for the debts of the association”) (quoting 7 C.J.S. 78); *Orser v. George*, 252 Cal. App. 2d 660, 670-71, 60 Cal. Rptr. 708 (1967) (“mere membership does not make all members liable for unlawful acts of other members without their participation, knowledge or approval.”).

The general rule is extended to directors, officers, and agents of an association. This is consistent with existing law providing that an agent is not liable for obligations of a disclosed principal or for torts of the principal, where the agent is personally innocent of wrongdoing. See 2 B. Witkin, *Summary of California Law Agency* § 145, at 141, § 151, at 145 (9th ed. 1987).

See also Sections 18005 (“director” defined), 18015 (“member” defined), 18020 (“nonprofit association” defined), 18025 (“officer” defined).

Corp. Code §18610 (added). Contract liability of member of nonprofit association

Comment. Section 18610 is new. It specifies the scope of personal liability of a member of a nonprofit association for a contractual obligation of the association.

Subdivision (a) is consistent with former Section 21101 and with the Statute of Frauds. See Civ. Code § 1624(a)(2).

Subdivision (b) is consistent with the common law rule that a member of a nonprofit association is liable for a contractual obligation that the member has expressly authorized or ratified. See *Security-First National Bank of Los Angeles v. Cooper*, 62 Cal. App. 2d 653, 145 P.2d 722 (1944). Subdivision (b) does not continue the common law rule that a member is liable for a contract that the member has impliedly authorized or ratified. Authorization and ratification may not be inferred from mere participation in the governance of the association — express approval of the contract is required. For example, approval of bylaws, election of officers, or participation in a vote in which the member votes against authorization or ratification of a contract would not constitute express authorization or ratification of a contract.

Subdivisions (d) and (e) provide for liability where the member is acting as an agent of the nonprofit association. Compare Section 18615(b) & (c). See also 2 B. Witkin, *Summary of California Law Agency* §§ 144-48, at 141-44 (9th ed. 1987) (agent not liable for contract on behalf of disclosed principal); *id.* §§ 144-45, at 141-42 (agent liable for contract if agent lacked authority); Civ. Code §§ 2342 (warranty of authority), 2343(2) (bad faith representation of authority).

See also Sections 18005 (“director” defined), 18015 (“member” defined), 18020 (“nonprofit association” defined), 18025 (“officer” defined).

Corp. Code § 18615 (added). Contract liability of director, officer, or agent of nonprofit association

Comment. Section 18615 is new. It specifies the scope of liability of a director, officer, or agent of a nonprofit association for a contractual obligation of the association.

Subdivision (a) is consistent with former Section 21101 and with the Statute of Frauds. See Civ. Code § 1624(a)(2).

Subdivision (b) is consistent with existing law providing that an agent is not liable for a contract entered into on behalf of a disclosed principal. See 2 B. Witkin, *Summary of California Law Agency* §§ 144-48, at 141-44 (9th ed. 1987).

Subdivision (c) provides that a director, officer, or agent is liable for a contract executed on behalf of an association if the director, officer, or agent lacks authority to execute the contract. See Civ. Code §§ 2342 (warranty of authority), 2343(2) (bad faith representation of authority); B. Witkin, *supra* §§ 144-45, at 141-42.

See also Sections 18005 (“director” defined), 18020 (“nonprofit association” defined), 18025 (“officer” defined).

Corp. Code § 18630 (added). Application of alter ego doctrine to nonprofit association

Comment. Section 18630 is new. It provides that the common law alter ego doctrine applicable to corporations may also be applied to nonprofit associations. The alter ego doctrine is summarized in *Communist Party of the United States v. 522 Valencia, Inc.*, 35 Cal. App. 4th 980, 993, 41 Cal. Rptr. 2d 618 (1995) (“In general, the two requirements for applying the alter ego doctrine are that (1) there is such a unity of interest and ownership between the corporation and the individual or organization controlling it that their separate personalities no longer exist, and (2) failure to disregard the corporate entity would sanction a fraud or promote injustice.”).

In applying the alter ego doctrine to a nonprofit association, a court should take into account differences between a nonprofit corporation and a nonprofit association. For example, failure to observe corporate formalities may be a factor in a decision to impose alter ego liability on shareholders of a corporation. Although it would be unreasonable to expect a nonprofit association to observe the governance formalities required of a corporation, it might be reasonable to expect that a nonprofit association will follow the governance formalities it has established for itself. Failure to do so may indicate that the personality of a nonprofit association and its members are not truly separate.

Failure to provide a corporation with reasonably adequate assets to cover its prospective liabilities may justify imposing alter ego liability on shareholders of a corporation. In *Automotriz del Golfo de California v. Resnick*, 47 Cal. 2d 792, 306 P.2d 1 (1957), the court relied in part on inadequate capitalization to justify imposing alter ego liability:

If a corporation is organized and carries on business without substantial capital in such a way that the corporation is likely to have no sufficient assets available to meet its debts, it is inequitable that shareholders should set up such a flimsy organization to escape personal liability. The attempt to do corporate business without providing any sufficient basis of financial responsibility to creditors is an abuse of the separate entity and will be ineffectual to exempt the shareholders from corporate debts. It is coming to be recognized as the policy of the law that shareholders should in good faith put at the risk of the business unencumbered capital reasonably adequate for its prospective liabilities. If the capital is illusory or trifling compared with the business to be done and the risks of loss, this is a ground for denying the separate entity privilege.

Id. at 797 quoting Ballantine on Corporations (1946). This principle could also be applied to a nonprofit association. However, it would be necessary to carefully consider the nature of the

association to determine what level of unencumbered capital would be reasonably adequate for the association's prospective liabilities. For example, a small historical society, operating a museum that is open to the public, should probably insure against liability for any injuries suffered by the public while in the museum. Such insurance might reasonably be considered adequate capitalization. On the other hand, an association that publishes controversial and potentially defamatory commentaries about public figures might reasonably anticipate greater risk of liability. If the association fails to insure against that risk or maintain a cash reserve to satisfy any judgment against it, a court might conclude that the association is inadequately capitalized.

If, as an incident to its nonprofit purpose, a nonprofit association conducts for-profit business activity, the appropriate levels of capitalization and insurance for that activity would be analogous to the capitalization and insurance that a for-profit entity should carry when conducting similar business activity.

See also Sections 18015 ("member" defined), 18020 ("nonprofit association" defined).

Corp. Code § 18640 (added). Fraudulent transfers

Comment. Section 18640 is new. It makes clear that limits on liability provided in this chapter do not affect the application of the Uniform Fraudulent Transfer Act (Civ. Code §§ 3439-3439.12). Thus, if an insolvent association transfers assets to a member (e.g., through a general distribution or redemption of membership), those assets may be recoverable by a creditor, regardless of whether the member is liable for the debt.

Corp. Code § 21200 (amended). Nonprofit medical association

Comment. Section 21200 is amended to correct a cross-reference to former Section 21000.

Corp. Code § 24000 (repealed). Definitions

Comment. Subdivision (a) of former Section 24000 is continued without substantive change in Sections 18035(a) and 18055(b).

Subdivision (b) is continued without substantive change in Section 18030.

Corp. Code § 24001 (repealed). Liability

Comment. Subdivision (a) of former Section 24001 is continued without substantive change in Section 18250.

Subdivision (b) is not continued. An unincorporated association may be liable to a member of the association. See *Marshall v. ILWU*, 57 Cal. 2d 781, 371 P.2d 987, 22 Cal. Rptr. 211 (1962) (member can sue labor union for negligent acts which member neither participated in nor authorized); *White v. Cox*, 17 Cal. App. 3d 824, 828, 95 Cal. Rptr. 259 (1971) ("unincorporated associations are now entitled to general recognition as separate legal entities and ... as a consequence a member of an unincorporated association may maintain a tort action against his association.").

Corp. Code § 24002 (repealed). Enforcement of money judgment

Comment. Former Section 24002 is continued without substantive change in Section 18260.

Corp. Code § 24003 (repealed). Statement of unincorporated association

Comment. Former Section 24003 is continued without substantive change in Section 18200.

Corp. Code § 24004 (repealed). Numbering, filing, and indexing of statements

Comment. Former Section 24004 is continued without substantive change in Section 18205.

Corp. Code § 24005 (repealed). Revocation or resignation of agency

Comment. Former Section 24005 is continued without substantive change in Section 18210.

Corp. Code § 24006 (repealed). Notice of expiration

Comment. Former Section 24006 is continued without substantive change in Section 18215.

Corp. Code § 24007 (repealed). Service of process on unincorporated association in certain cases

Comment. Former Section 24007 is continued without substantive change in Section 18220.

EDUCATION CODE

Educ. Code § 45312 (amended). Hearing or investigation conducted by hearing officer or other representative

Comment. Section 45312 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Educ. Code § 62000 (amended). “Sunset” and “sunset date” defined

Comment. Section 62000 is amended to delete an obsolete reference to former Section 62006. The review required under that section was to be completed by September 15, 1987.

Educ. Code § 71027 (amended). Common course numbering system

Comment. Section 71027 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1998.

Educ. Code § 71051 (amended). Collaborative facilities projects

Comment. Section 71051 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by September 15, 1998.

Educ. Code § 87675 (amended). Arbitration procedure

Comment. Section 87675 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Educ. Code § 87679 (amended). Proceedings conducted by administrative law judge

Comment. Section 87679 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Educ. Code § 88131 (amended). Hearing or investigation conducted by hearing officer or other representative

Comment. Section 88131 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Educ. Code § 89343 (amended). Foster youth

Comment. Section 89343 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1998.

Educ. Code § 92640 (amended). Accommodation of religious creed

Comment. Section 92640 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by July 1, 1993.

EVIDENCE CODE

Evid. Code § 915 (amended). Disclosure of privileged information or attorney work product in ruling on claim of privilege

Comment. Section 915 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Evid. Code § 1156 (amended). Records of medical or dental study of in-hospital staff committee

Comment. Subdivision (a) of Section 1156 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Evid. Code § 1156.1 (amended). Records of medical or psychiatric study of quality assurance committee

Comment. Subdivision (a) of Section 1156.1 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

FAMILY CODE

Fam. Code § 3110.5 (amended). Child custody evaluator

Comment. Subdivisions (b) and (c) of Section 3110.5 are amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Fam. Code § 3200 (amended). Supervised visitation

Comment. Section 3200 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by April 1, 1997.

Fam. Code § 3666 (amended). Enforcement of article

Comment. Section 3666 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Fam. Code § 4331 (amended). Examination by vocational training counselor

Comment. Subdivision (c) of Section 4331 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Fam. Code § 20025 (repealed). San Mateo County pilot project

Comment. Section 20025 is repealed as obsolete. The required report was to be completed by July 1, 1994.

Fam. Code § 20042 (repealed). Santa Clara County pilot project

Comment. Section 20042 is repealed as obsolete. The required report was to be completed by July 1, 1994.

FISH AND GAME CODE

Fish & Game Code § 309 (amended). Procedure

Comment. Subdivision (a) of Section 309 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Fish & Game Code § 715 (repealed). National Wildlife Violator Compact

Comment. Section 715 is repealed as obsolete. The required report was to be completed by January 30, 1996.

Fish & Game Code § 5934 (amended). Deposition

Comment. Section 5934 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Fish & Game Code § 15602 (repealed). Spawning, incubation, or raising of anadromous fish in Smith River watershed

Comment. Section 15602 is repealed as obsolete. The study required under former Section 15603 was to be completed by January 1, 1994.

Fish & Game Code § 15603 (repealed). Study of anadromous fish

Comment. Section 15603 is repealed as obsolete. The required report was to be completed by January 1, 1994.

FOOD AND AGRICULTURAL CODE

Food & Agric. Code § 5029 (amended). Pesticide information program

Comment. Section 5029 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by December 31, 1985.

Food & Agric. Code § 13124 (repealed). Pesticide reports

Comment. Section 13124 is repealed as obsolete. The required reports were to be completed by July 1, 1985.

Food & Agric. Code § 13125 (repealed). Pesticide reports

Comment. Section 13125 is repealed as obsolete. The required report was to be completed by April 1, 1986.

Food & Agric. Code § 13127 (amended). Pesticide active ingredients

Comment. Subdivision (a) of Section 13127 is amended to reflect the repeal of former Section 13125. The report required by that section was to be completed by April 1, 1986.

Food & Agric. Code § 42814 (repealed). Standardization inspection and enforcement programs

Comment. Section 42814 is repealed as obsolete. The required report was to be completed by March 15, 1996.

Food & Agric. Code § 58509 (amended). Food bank programs

Comment. Section 58509 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by March 1, 1985.

GOVERNMENT CODE

Gov't Code § 6276.04 (amended). "Aeronautics Act" to "Avocado handler transaction records"

Comment. Section 6276.04 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Gov't Code § 6276.12 (amended). Exemption list

Comment. Section 6276.12 is amended to delete an obsolete reference to former Penal Code Section 13013.

Gov't Code § 6276.30 (amended). Exemption list

Comment. Section 6276.30 is amended to delete an obsolete reference to former Section 15339.30.

Gov't Code § 6276.46 (amended). Exemption list

Comment. Section 6276.46 is amended to delete an obsolete reference to former Vehicle Code Section 4750.2.

Gov't Code § 8293 (amended). California Law Revision Commission

Comment. Section 8293 is amended to delete as obsolete the reference to the filing of the Law Revision Commission's first report. The section is also amended to eliminate the implication that the Commission may not study a matter listed in its calendar of topics that has previously been approved by the Legislature, or that has been assigned by statute rather than concurrent resolution of the Legislature.

Gov't Code § 8588.5 (amended). Disaster dog teams

Comment. Section 8588.5 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 31, 1991.

Gov't Code § 8593.3 (repealed). Communication with deaf and hearing-impaired persons during emergencies

Comment. Section 8593.3 is repealed as obsolete. The required report was to be completed by December 31, 1991.

Gov't Code § 8599.1 (repealed). Use of volunteers during emergency

Comment. Section 8599.1 is repealed as obsolete. The required reports were to be completed by October 31, 1991.

Gov't Code § 8870.75 (repealed). Earthquake study

Comment. Section 8870.75 is repealed as obsolete. The required report was to be completed by June 30, 1980.

Gov't Code § 8875.1 (amended). Potentially hazardous buildings

Comment. Section 8875.1 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by September 1, 1987.

Gov't Code § 8877.7 (repealed). Findings and recommendations of Seismic Safety Commission

Comment. Section 8877.7 is repealed as obsolete. The required report was to be completed by January 1, 1990.

Gov't Code § 9116 (repealed). Project feasibility study

Comment. Section 9116 is repealed as obsolete. The required report was to be completed by January 1, 1990.

Gov't Code § 9121 (amended). Construction of article

Comment. Section 9121 is amended to reflect the repeal of former Section 9116.

Gov't Code § 11011.15 (amended). Inventory of state real property holdings

Comment. Section 11011.15 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by July 1, 1988.

Gov't Code § 11011.19 (repealed). Report on inventory of state real property holdings

Comment. Section 11011.19 is repealed as obsolete. The required report was to be completed by January 1, 1990.

Gov't Code § 11045 (amended). Procedure for request by state agency to employ outside counsel

Comment. Subdivision (f) of Section 11045 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Gov't Code § 11187 (amended). Refusal to provide requested discovery

Comment. Subdivision (c) of Section 11187 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Gov't Code § 11189 (amended). Deposition and attendance of witness

Comment. Section 11189 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Gov't Code § 11511 (amended). Deposition on verified petition

Comment. Section 11511 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Gov't Code § 12092 (amended). California Low Income Home Energy Assistance Program

Comment. Section 12092 is amended to delete an obsolete reference to former Section 16367.9.

Gov't Code § 12173 (amended). Electronic voter information

Comment. Section 12173 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by June 30, 1995.

Gov't Code § 14036.6 (amended). California rail pass

Comment. Section 14036.6 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by April 1, 1992.

Gov't Code § 14525.6 (repealed). Allocation and expenditure of transportation funds

Comment. Section 14525.6 is repealed as obsolete. The required reports were to be completed by January 1, 1999.

Gov't Code § 15814.25 (amended). Energy conservation in elementary school

Comment. Section 15814.25 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by December 31, 1994.

Gov't Code §§ 16000-16081 (repealed). Environmental Quality Study Council

Comment. Sections 16000-16081 are repealed as obsolete. The Environmental Quality Study Council ceased to exist in 1972, pursuant to former Section 16054.

Gov't Code § 16272.3 (repealed). Report on ad valorem property taxes

Comment. Section 16272.3 is repealed as obsolete. The required report was to be completed by July 15, 1978.

Gov't Code § 16272.5 (amended). Dollar share of surplus allocation

Comment. Section 16272.5 is amended to reflect the repeal of former Section 16272.3.

Gov't Code § 16285 (repealed). Local agency financial data

Comment. Section 16285 is repealed as obsolete. The required report was to be completed by November 1, 1978.

Gov't Code § 16367.9 (repealed). Energy assistance programs

Comment. Section 16367.9 is repealed as obsolete. The required report was to be completed by January 1, 1985.

Gov't Code § 18671 (amended). Procedure for hearing or investigation

Comment. Section 18671 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Gov't Code § 19995.35 (repealed). Injured state worker assistance program

Comment. Section 19995.35 is repealed as obsolete. The required reports were to be completed by December 2, 1986.

Gov't Code § 19998.5 (repealed). State Employee Assistance Program

Comment. Section 19998.5 is repealed as obsolete. The required report was to be completed by March 1, 1988.

Gov't Code § 30605 (repealed). Los Angeles County Fiscal Audit

Comment. Section 30605 is repealed as obsolete. The required report was to be completed by March 31, 1996.

Gov't Code § 50089 (amended). Service of process on designated agent

Comment. Section 50089 is amended to correct a cross-reference to former Corporations Code Section 24003.

Gov't Code § 51015.05 (amended). Intrastate pipeline data

Comment. Section 51015.05 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by December 31, 1995.

Gov't Code § 51015.1 (repealed). Hazardous liquid pipelines

Comment. Section 51015.1 is repealed as obsolete. The required report was to be completed by January 1, 1991.

Gov't Code § 53117 (repealed). Local emergency telephone systems

Comment. Section 53117 is repealed as obsolete. The required reports were to be completed by 1975.

Gov't Code § 53125 (repealed). Local nonemergency telephone system

Comment. Section 53125 is repealed as obsolete. By its own terms the section remained in effect only until January 1, 2000.

Gov't Code § 68092.5 (amended). Expert witness fee

Comment. Subdivisions (a) and (f) of Section 68092.5 are amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Gov't Code § 68106 (repealed). Trial court budgeting

Comment. Section 68106 is repealed as obsolete. The required report was to be completed by March 1, 1992.

Gov't Code § 68511.4 (repealed). Trial court recordkeeping practices

Comment. Section 68511.4 is repealed as obsolete. The required report was to be completed by July 1, 1992.

Gov't Code § 68515 (repealed). Megatrial facilities

Comment. Section 68515 is repealed as obsolete. The required report was to be completed by December 1, 1993.

Gov't Code § 68616 (operative Jan. 1, 2004) (amended). Delay reduction deadlines and procedures

Comment. Subdivision (f) of Section 68616 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

HEALTH AND SAFETY CODE

Health & Safety Code § 1179.2 (amended). Task Force on Rural Health

Comment. Section 1179.2 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by May 1, 1996.

Health & Safety Code § 1205.1 (repealed). Licensure of dialysis facilities

Comment. Section 1205.1 is repealed as obsolete. The required report was to be completed by March 31, 1985.

Health & Safety Code § 1275.3 (amended). Intermediate care facilities and developmentally disabled nursing

Comment. Section 1275.3 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1989.

Health & Safety Code § 1519 (repealed). Cost of operation of residential facilities

Comment. Section 1519 is repealed as obsolete. The required report was to be completed by March 1, 1986.

Health & Safety Code § 1520.65 (repealed). Study of community care facility placements

Comment. Section 1520.65 is repealed as obsolete. The required report was to be completed by January 1, 1994.

Health & Safety Code § 1522.4 (amended). Community care facility standards

Comment. Section 1522.4 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by July 1, 1999.

Health & Safety Code § 1522.6 (repealed). Fingerprint clearance advisory committee

Comment. Section 1522.6 is repealed. The advisory committee created by Section 1522.6 was terminated on January 1, 1991.

Health & Safety Code § 1527.9 (repealed). Availability of commercial liability insurance

Comment. Section 1527.9 is repealed as obsolete. The required report was to be completed by January 1, 1988.

Health & Safety Code § 1529.3 (repealed). Foster parent training

Comment. Section 1529.3 is repealed as obsolete. The required report was to be completed by January 1, 1990.

Health & Safety Code § 1557 (repealed). Suspension of license or special permit of community care facility

Comment. Section 1557 is repealed as obsolete. The required report was to be completed by April 1, 1988.

Health & Safety Code § 1569.545 (repealed). Reinstatement of suspended permit

Comment. Section 1569.545 is repealed as obsolete. The required report was to be completed by April 1, 1988.

Health & Safety Code § 1596.955 (amended). Toddler program

Comment. Section 1596.955 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by June 1, 1990.

Health & Safety Code § 1597.01 (repealed). Outdoor activity space requirements

Comment. Section 1597.01 is repealed as obsolete. The required report was to be completed by June 1, 1989.

Health & Safety Code § 1598.3 (repealed). Recipients of funds

Comment. Section 1598.3 is repealed as obsolete. The required report was to be completed by January 1, 1980.

Health & Safety Code § 6982 (amended). Wastewater technologies

Comment. Section 6982 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1991.

Health & Safety Code § 11756.5 (repealed). Alcohol and drug abuse treatment programs

Comment. Section 11756.5 is repealed as obsolete. The required projects were to be completed by April 1, 1994.

Health & Safety Code § 11758.10 (amended). Net amount contracts

Comment. Section 11758.10 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1995.

Health & Safety Code § 11758.33 (repealed). Construction of chapter

Comment. Sections 11758.33 is repealed as obsolete. The pilot project to which it relates has been completed.

Health & Safety Code § 11798.1 (amended). Combined drug and alcohol programs

Comment. Section 11798.1 is amended to delete reference to an obsolete program and report. The program and report were to be completed by January 1, 1994.

Health & Safety Code § 11998.2 (amended). County drug and alcohol abuse master plan

Comment. Subdivision (f) of Section 11998.2 is amended to delete an obsolete reference to the date on which an annual reporting requirement took effect.

Former subdivision (j) is deleted as obsolete. The required report was to be completed by June 30, 1989.

Former subdivision (k) is redesignated subdivision (j) and amended to delete an obsolete reference to the date on which an annual listing requirement took effect.

Former subdivision (l) is redesignated subdivision (k).

Former subdivision (m) is deleted as obsolete. The required report was to be completed by January 1, 1993.

Health & Safety Code § 13143.7 (repealed). Automatic fire sprinklers

Comment. Section 13143.7 is repealed as obsolete. The required report was to be completed by January 1, 1990.

Health & Safety Code § 16109 (amended). Earthquake mitigation technology

Comment. Section 16109 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1991.

Health & Safety Code § 18944.34 (repealed). Report on straw bale structures

Comment. Section 18944.34 is repealed as obsolete. The required report was to be completed by January 1, 2002, subject to the availability of funds.

Health & Safety Code § 25159.13 (repealed). Report on injection well use

Comment. Section 25159.13 is repealed as obsolete. The required reports were to be completed by January 1, 1988.

Health & Safety Code § 25159.19 (amended). Fee schedule

Comment. Section 25159.19 is amended to reflect the repeal of former Section 25159.13.

Health & Safety Code § 25244.3 (repealed). Reductions in hazardous waste generation

Comment. Section 25244.3 is repealed as obsolete. The required report was to be completed by June 1, 1986.

Health & Safety Code § 25299.80 (repealed). Underground tank study

Comment. Section 25299.80 is repealed as obsolete. The required report was to be completed by January 1, 1993.

Health & Safety Code § 25503.2 (amended). Hazardous materials compliance assistance manual

Comment. Section 25503.2 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by July 1, 1991.

Health & Safety Code §§ 25547-25547.2 (repealed). Hazardous materials use reduction institute

Comment. Sections 25547-25547.2 are repealed as obsolete. The required study was to be completed by March 1, 1991.

Health & Safety Code § 25928 (repealed). Asbestos Assessment Task Force report

Comment. Section 25928 is repealed as obsolete. The required report was to be completed by December 31, 1987.

Health & Safety Code § 38045 (repealed). Direct service contracts with nonprofit organizations

Comment. Section 38045 is repealed as obsolete. The required report was to be completed by July 1, 1989.

Health & Safety Code § 39663 (repealed). Control of landfill gas

Comment. Section 39663 is repealed as obsolete. The required report was to be completed by January 1, 1998.

Health & Safety Code § 40410.5 (amended). South coast district sensitive zone

Comment. Section 40410.5 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1992.

Health & Safety Code § 40452 (amended). Report on regulatory activities

Comment. Section 40452 is amended to delete an obsolete reference to former Section 40453.

Health & Safety Code § 43013.5 (amended). Unfinished fuels and fuel blending

Comment. Section 43013.5 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by May 1, 1992.

Health & Safety Code § 44245 (repealed). Programs funded by vehicle registration fees

Comment. Section 44245 is repealed as obsolete. The required report was to be completed by December 31, 1992.

Health & Safety Code § 44247 (repealed). Report by local agencies on use of fees and results of programs

Comment. Section 44247 is repealed as obsolete. The report required under Section 44245 was to be completed by December 31, 1992.

Health & Safety Code § 50519 (amended). Residential hotels

Comment. Section 50519 is amended to delete reference to obsolete reporting requirements. The required reports were to be completed by January 1, 1983.

Health & Safety Code § 50837 (repealed). Advisory Task Force on Affordable Housing

Comment. Section 50837 is repealed as obsolete. The required report was to be completed by April 15, 1992.

Health & Safety Code § 100475 (repealed). Review of public health statutes

Comment. Section 100475 is repealed as obsolete. The required report was to be completed by April 1, 1993.

Health & Safety Code § 101535 (repealed). Sonoma County Dental Health Authority

Comment. Section 101535 is repealed as obsolete. The required report was to be completed by December 31, 1989.

Health & Safety Code § 104595 (repealed). Nutrition monitoring

Comment. Section 104595 is repealed as obsolete. The required report was to be completed by January 1, 1988.

Health & Safety Code § 105140 (amended). Geriatric medicine

Comment. Section 105140 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1987.

Health & Safety Code § 105175 (amended). Occupational health

Comment. Subdivision (a) of Section 105175 is amended to delete an obsolete reference to the date on which the program was to be established.

Former subdivision (c) is deleted as obsolete. The required report was to be completed by January 1, 1988.

Former subdivision (d) is redesignated subdivision (c).

Former subdivision (e) is redesignated subdivision (d).

Former subdivision (f) is redesignated subdivision (e).

Health & Safety Code § 105335 (repealed). Sharps injuries

Comment. Section 105335 is repealed as obsolete. The required report was to be completed by December 31, 1999.

Health & Safety Code § 108865 (repealed). Lead release from tableware

Comment. Section 108865 is repealed as obsolete. The required report was to be completed by January 1, 1993.

Health & Safety Code § 110540 (repealed). Food packaging and sale

Comment. Section 110540 is repealed as obsolete. The required report was to be completed by March 1, 1984.

Health & Safety Code § 110795 (amended). Characteristics of fish

Comment. Section 110795 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1986.

Health & Safety Code § 114820 (amended). Fissile radioactive material

Comment. Section 114820 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by July 1, 1982.

Health & Safety Code § 116360 (amended). Cryptosporidium and giardia

Comment. Section 116360 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1998.

Health & Safety Code § 120865 (repealed). HIV programs

Comment. Section 120865 is repealed as obsolete. The required report was to be completed by April 1, 1991.

Health & Safety Code § 124135 (repealed). Childhood lead screening target areas

Comment. Section 124135 is repealed as obsolete. The required selection of target areas was to be completed by July 1, 1987.

Health & Safety Code § 124140 (repealed). Childhood lead screening program

Comment. Section 124140 is repealed as obsolete. The required screening was to be completed by October 1, 1988.

Health & Safety Code § 124145 (repealed). Report on childhood lead screening

Comment. Section 124145 is repealed as obsolete. The required report was to be completed by January 1, 1989.

Health & Safety Code § 124150 (amended). Additional findings

Comment. Section 124150 is amended to reflect the repeal of former sections 124135 and 124140.

Health & Safety Code § 124160 (amended). Lead poisoning prevention

Comment. Section 124160 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by July 1, 1991.

Health & Safety Code § 124195 (amended). Adolescent Family Life Programs

Comment. Section 124195 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by December 31, 1996.

Health & Safety Code § 124235 (repealed). Children and adolescents with mental and emotional problems

Comment. Section 124235 is repealed as obsolete. The required report was to be completed by February 1, 1987.

Health & Safety Code § 127360 (amended). Construction of article

Comment. Section 127360 is amended to reflect the repeal of former Section 127365.

Health & Safety Code § 127365 (repealed). Community benefit plans

Comment. Section 127365 is repealed as obsolete. The required report was to be completed by October 1, 1997.

Health & Safety Code § 128195 (amended). Report on pilot projects

Comment. Section 128195 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by December 1, 1996.

Health & Safety Code § 129295 (amended). Loan insurance program

Comment. Section 129295 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1991.

INSURANCE CODE

Ins. Code § 11751.51 (repealed). Workers' compensation

Comment. Section 11751.51 is repealed as obsolete. By its own terms the section became inoperative on July 1, 1998.

Ins. Code § 12693.94 (repealed). Healthy Families Program

Comment. Section 12693.94 is repealed as obsolete. The required report was to be completed by January 15, 1999.

Ins. Code § 12696.25 (repealed). Performance evaluation

Comment. Section 12696.25 is repealed as obsolete. The required report was to be completed by January 1, 1994.

LABOR CODE

Lab. Code § 139.43 (amended). Advertising services to injured worker

Comment. Section 139.43 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1994.

Lab. Code § 5710 (amended). Deposition

Comment. Subdivision (a) of Section 5710 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Lab. Code § 6613 (amended). Deposition

Comment. Section 6613 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Lab. Code § 6715 (repealed). Health effects of computer monitor radiation

Comment. Section 6715 is repealed as obsolete. The required reports were to be completed by July 1, 1992.

MILITARY AND VETERANS CODE

Mil. & Vet. Code § 1012.5 (repealed). Health care needs of those suffering dementia diseases

Comment. Section 1012.5 is repealed as obsolete. The required report was to be completed by July 1, 1998.

PENAL CODE

Penal Code § 186.11 (amended). Aggravated white collar crime enhancement

Comment. Subdivision (e)(2) of Section 186.11 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Penal Code § 653.1 (amended). Electrically conductive balloons

Comment. Section 653.1 is amended to delete reference to obsolete reporting requirements. The required reports were to be completed by December 31, 1993.

Penal Code § 1054.6 (amended). Work product privilege

Comment. Section 1054.6 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Penal Code § 1174.6 (repealed). Program facilities for pregnant and parenting women

Comment. Section 1174.6 is repealed as obsolete. The required report was to be completed by July 1, 1995.

Penal Code § 1247k (amended). Rules for criminal appeals

Comment. Section 1247k is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by March 31, 1943.

Penal Code § 2053 (amended). Prisoner literacy

Comment. Section 2053 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by July 1, 1988.

Penal Code § 3053.2 (amended). Parole condition

Comment. Section 3053.2 is amended to delete reference to obsolete reporting requirements. The required reports were to be completed by July 1, 1999.

Penal Code § 3424 (repealed). Efficiency and effect of community treatment programs

Comment. Section 3424 is repealed as obsolete. The required report was to be completed by March 30, 1983.

Penal Code § 4497.40 (repealed). Report on allocation of funds

Comment. Section 4497.40 is repealed as obsolete. The required report was to be completed by July 1, 1991.

Penal Code § 5010 (amended). Weight lifting

Comment. Section 5010 is amended to delete reference to obsolete reporting requirements. The required reports were to be completed by July 1, 1995.

Penal Code § 5066 (amended). Prison ombudsman

Comment. Section 5066 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by February 1, 1999.

Penal Code § 7009 (repealed). Financing of prison facilities

Comment. Section 7009 is repealed as obsolete. The required report was to be completed by January 1, 1984.

Penal Code § 7514 (amended). HIV testing

Comment. Section 7514 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 30, 1995.

Penal Code § 11108.7 (repealed). Firearms report

Comment. Section 11108.7 is repealed as obsolete. The required proposal was to be completed by January 1, 2002.

Penal Code § 11110 (repealed). Automated storage and communication of photographs

Comment. Section 11110 is repealed as obsolete. The required study and report were to be completed by January 1, 1996.

Penal Code § 13013 (repealed). Data collection system proposal

Comment. Section 13013 is repealed as obsolete. The required proposal was to be completed by July 1, 1985.

Penal Code § 13508 (amended). Commission on Peace Officer Standards and Training

Comment. Section 13508 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1995.

Penal Code § 13828.2 (repealed). Child sexual abuse cases

Comment. Section 13828.2 is repealed as obsolete. The required report was to be completed by January 1, 1988.

Comment. Section 13871 is repealed as obsolete. The required report was to be completed by January 1, 1986.

Penal Code § 14210 (amended). Missing persons

Comment. Section 14210 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by June 30, 1989.

PROBATE CODE

Prob. Code § 451 (amended). Subpoena to compel appearance for purposes of appraisal

Comment. Subdivision (b) of Section 451 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Prob. Code § 452 (amended). Authority to compel testimony and production of documents

Comment. Subdivision (b) of Section 452 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

PUBLIC CONTRACTS CODE

Pub. Cont. Code § 20104.4 (amended). Mediation and arbitration

Comment. Subdivision (b) of Section 20104.4 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

PUBLIC RESOURCES CODE

Pub. Res. Code § 612.5 (amended). Soil survey

Comment. Section 612.5 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by February 1, 1989.

Pub. Res. Code § 2802 (repealed). Earthquake prediction system

Comment. Section 2802 is repealed as obsolete. The project established by the section was terminated on January 1, 1992.

Pub. Res. Code § 3357 (amended). Investigative powers

Comment. Section 3357 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Pub. Res. Code § 3488 (repealed). Illegal disposal of used oil

Comment. Section 3488 is repealed as obsolete. The required reports were to be completed by March 1, 1993.

Pub. Res. Code § 3769 (amended). Investigative powers

Comment. Section 3769 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Pub. Res. Code § 4473 (repealed). Experimental prescribed burn program

Comment. Section 4473 is repealed as obsolete. The required report was to be completed by January 1, 1982.

Pub. Res. Code § 4562.5 (amended). Soil erosion study

Comment. Section 4562.5 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1976.

Pub. Res. Code § 18017 (repealed). Plastic waste labeling

Comment. Section 18017 is repealed as obsolete. The required report was to be completed by January 1, 1994.

Pub. Res. Code § 42552 (repealed). Recycling telephone directories

Comment. Section 42552 is repealed as obsolete. The required report was to be completed by July 1, 1994.

Pub. Res. Code § 42553 (amended). Operation of Article 2

Comment. Section 42553 is amended to reflect the repeal of former Section 42552.

Pub. Res. Code § 42776 (repealed). Recycled paper survey

Comment. Section 42776 is repealed as obsolete. The required report was to be completed by July 1, 1994.

Pub. Res. Code § 71064 (amended). Environmental Data Management Advisory Committee

Comment. Subdivision (b) of Section 71064 is amended to delete an obsolete reference to the date on which the advisory committee commenced its functions.

Former subdivision (c) is deleted as obsolete. The required report was to be completed by July 1, 1996.

Former subdivision (d) is redesignated subdivision (c).

PUBLIC UTILITIES CODE

Pub. Util. Code § 322 (amended). Compilation of rules and decisions

Comment. Section 322 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1986.

Pub. Util. Code § 442 (repealed). Evaluation of reimbursement fee funding mechanism

Comment. Section 442 is repealed as obsolete. The required report was to be completed by January 1, 1988.

Pub. Util. Code § 701.6 (amended). Energy efficient manufactured homes

Comment. Section 701.6 is amended to delete reference to obsolete reporting requirements. The required reports were to be completed by January 1, 1998.

Pub. Util. Code § 1794 (amended). Deposition

Comment. Section 1794 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Pub. Util. Code § 5385.6 (amended). Limousines

Comment. Section 5385.6 is amended to reflect that former subdivision (h) of Section 5371.4 was redesignated as subdivision (g).

Pub. Util. Code § 5388 (repealed). Report on issuance of three-year permit

Comment. Section 5388 is repealed as obsolete. The required report was to be completed by January 1, 1992.

Pub. Util. Code § 8303 (repealed). Notice of shipment of radioactive fuel

Comment. Section 8303 is repealed as obsolete. The required report was to be completed by July 1, 1986.

Pub. Util. Code § 99620 (amended). Purpose and amount of allocations

Comment. Section 99620 is amended to reflect the repeal of former Section 99621.

Pub. Util. Code § 99621 (repealed). Rail corridor status report

Comment. Section 99621 is repealed as obsolete. The required report was to be completed by December 31, 1991.

REVENUE AND TAXATION CODE

Rev. & Tax. Code § 2237.3 (repealed). Ad valorem property tax reports

Comment. Section 2237.3 is repealed as obsolete. The required reports were to be completed by April 1, 1983.

Rev. & Tax. Code § 2327 (repealed). Exception to reporting deadline

Comment. Section 2327 is repealed as obsolete. The reporting deadline provided in the section expired on May 15, 1974.

Rev. & Tax. Code § 18405 (amended). Substantial unintentional noncompliance

Comment. Section 18405 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by March 1, 1995.

Rev. & Tax. Code § 19264 (amended). Electronic transmission of earnings withholding orders

Comment. Section 19264 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1999.

Rev. & Tax. Code § 23331 (amended). Taxpayer information program

Comment. Section 23331 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by July 1, 1991.

Rev. & Tax. Code § 25110 (amended). Water's edge election

Comment. Subdivision (b) of Section 25110 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

STREETS AND HIGHWAYS CODE

Sts. & Hy. Code § 155.8 (repealed). Study of truck traffic during commute hours

Comment. Section 155.8 is repealed as obsolete. The required report was to be completed by January 1, 1989.

UNEMPLOYMENT INSURANCE CODE

Unemp. Ins. Code § 1598 (repealed). Evaluation of Benefit Audit Fund and collection of overpaid unemployment compensation benefits

Comment. Section 1598 is repealed as obsolete. The required report was to be completed by July 1, 1986.

Unemp. Ins. Code § 11005 (repealed). Provision of employment services to the deaf and hearing impaired

Comment. Section 11005 is repealed as obsolete. The required report was to be completed by February 1, 1986.

VEHICLE CODE

Veh. Code § 2575 (repealed). Report on licensing and inspection program

Comment. Section 2575 is repealed as obsolete. The required report was to be completed by January 1, 1993.

Veh. Code § 3050.1 (amended). Discovery

Comment. Subdivision (b) of Section 3050.1 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Veh. Code § 4750.2 (repealed). Verifying financial responsibility on registration of vehicle

Comment. Section 4750.2 is repealed as obsolete. The required report was to be completed by December 1, 1992.

Veh. Code § 4750.4 (amended). Information provided by insurers

Comment. Section 4750.4 is amended to reflect the repeal of former Section 4750.2.

Veh. Code § 5011.5 (amended). Limousines operated by charter-party carrier

Comment. Section 5011.5 is amended to reflect that subdivision (h) of Public Utilities Code Section 5371.4 was redesignated as subdivision (g).

Veh. Code § 14112 (amended). Driver's license proceeding

Comment. Section 14112 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by December 31, 1999.

Veh. Code § 21370.1 (repealed). Nonemergency highway maintenance work

Comment. Section 21370.1 is repealed as obsolete. The required report was to be completed by March 31, 1988.

Veh. Code § 32005 (repealed). Licensing and inspection program

Comment. Section 32005 is repealed as obsolete. The required report was to be completed by January 1, 1983.

Veh. Code § 34508.5 (repealed). Schoolbus accidents

Comment. Section 34508.5 is repealed as obsolete. The required report was to be completed by July 1, 1993.

Veh. Code § 40001 (amended). Owner or employer liability

Comment. Section 40001 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1988.

WATER CODE

Water Code § 1061 (repealed). Evaluation of enforcement ability

Comment. Section 1061 is repealed as obsolete. The required report was to be completed by July 1, 1988.

Water Code § 1100 (amended). Deposition

Comment. Section 1100 is amended to reflect nonsubstantive reorganization of the rules governing civil discovery.

Water Code § 12226.1 (repealed). Improvement of levees

Comment. Section 12226.1 is repealed as obsolete. The required reports were to be completed by January 15, 1980.

Water Code § 12228 (repealed). Sacramento-San Joaquin Delta land use patterns

Comment. Section 12228 is repealed as obsolete. The required report was to be completed by January 1, 1994.

WELFARE AND INSTITUTIONS CODE

Welf. & Inst. Code § 225.05 (repealed). Youthful offender programs

Comment. Section 225.05 is repealed as obsolete. The required report was to be completed by January 15, 1992.

Welf. & Inst. Code § 398 (repealed). Status of children in foster care

Comment. Section 398 is repealed as obsolete. The required report was to be completed by October 1, 1981.

Welf. & Inst. Code § 503 (amended). Serious habitual offender data

Comment. Section 503 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by March 1, 1988.

Welf. & Inst. Code § 898.5 (repealed). Recidivism reduction study

Comment. Section 898.5 is repealed as obsolete. The required report was to be completed by January 1, 1989.

Welf. & Inst. Code § 1120 (amended). Education of wards

Comment. Section 1120 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by February 1, 1980.

Welf. & Inst. Code § 1756.1 (repealed). Mental health treatment facilities

Comment. Section 1756.1 is repealed as obsolete. The required report was to be completed by March 1, 1976.

Welf. & Inst. Code § 1906 (repealed). Youth service bureaus

Comment. Section 1906 is repealed as obsolete. The required report was to be completed by January 1, 1984.

Welf. & Inst. Code § 1914 (repealed). Statewide juvenile information system

Comment. Section 1914 is repealed as obsolete. The required report was to be completed by January 1, 1996.

Welf. & Inst. Code § 4026 (repealed). Mentally disordered patients in long-term healthcare facilities

Comment. Section 4026 is repealed as obsolete. The required report was to be completed by January 1, 1990.

Welf. & Inst. Code § 4390 (amended). School-based early mental health intervention

Comment. Section 4390 is amended to delete an obsolete evaluation requirement and an obsolete reporting requirement. The required evaluation was to be completed by April 30, 1994. The required report was to be completed by June 30, 1994.

Welf. & Inst. Code § 4506 (repealed). Staffing standards

Comment. Section 4506 is repealed as obsolete. Its requirements were to be completed by June 30, 1980.

Welf. & Inst. Code § 4519.5 (repealed). Evaluation of services to developmentally disabled

Comment. Section 4519.5 is repealed as obsolete. The required report was to be completed by March 15, 1998.

Welf. & Inst. Code § 4637 (repealed). Computerized records system

Comment. Section 4637 is repealed as obsolete. The required reports were to be completed by June 15, 1980.

Welf. & Inst. Code § 4681.2 (repealed). Community care facility rate commission

Comment. Section 4681.2 is repealed as obsolete. The required report was to be completed by March 1, 1978.

Welf. & Inst. Code § 4689.1 (amended). Family home agencies

Comment. Section 4689.1 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by December 31, 1996.

Welf. & Inst. Code § 4692 (repealed). Reimbursement for day programs

Comment. Section 4692 is repealed as obsolete. The required reports were to be completed by January 1, 1983.

Welf. & Inst. Code § 4751 (repealed). Method for evaluating independence

Comment. Section 4751 is repealed as obsolete. The required reports were to be completed by February 1, 1978.

Welf. & Inst. Code § 4838 (repealed). Integration of state and local services

Comment. Section 4838 is repealed as obsolete. The required report was to be completed by January 1, 1980.

Welf. & Inst. Code § 4840 (repealed). Study of funding options

Comment. Section 4840 is repealed as obsolete. The required report was to be completed by June 15, 1979.

Welf. & Inst. Code § 4842 (repealed). Interagency coordination

Comment. Section 4842 is repealed as obsolete. The required report was to be completed by June 1, 1979.

Welf. & Inst. Code § 5719.5 (amended). Mental health managed care

Comment. Section 5719.5 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by July 1, 1995.

Welf. & Inst. Code § 5734 (repealed). Mental health master plan recommendation

Comment. Section 5734 is repealed as obsolete. The required report was to be completed by March 1, 1993.

Welf. & Inst. Code § 5914 (repealed). Funding of mental disease contract services

Comment. Section 5914 is repealed as obsolete. The required report was to be completed by April 1, 1992.

Welf. & Inst. Code § 10627 (repealed). Provision of public social services

Comment. Section 10627 is repealed as obsolete. The required report was to be completed by January 1, 1982.

Welf. & Inst. Code § 11004.5 (repealed). Overpayments

Comment. Section 11004.5 is repealed as obsolete. The required report was to be completed by January 1, 1983.

Welf. & Inst. Code § 11008 (amended). Disregard of earned income

Comment. Section 11008 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1983.

Section 11008 is also amended to insert subdivision, in conformity with preferred drafting style.

Welf. & Inst. Code § 11008.19 (amended). Child care and development services

Comment. Subdivision (a)(2) of Section 11008.19 is amended to delete an obsolete reference to the date on which the annual duty to seek funding commenced.

Former subdivision (c) is deleted as obsolete. The required report was to be completed by January 30, 1993.

Former subdivision (d) is redesignated subdivision (c).

Welf. & Inst. Code § 11213 (amended). AFDC foster care improvement

Comment. Section 11213 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by April 1, 1980.

Welf. & Inst. Code § 11215 (amended). AFDC foster care reports

Comment. Section 11215 is amended to delete reference to obsolete reporting requirements. The required reports were to be completed by January 1, 1995.

Welf. & Inst. Code § 11406 (repealed). Reports on foster care placement

Comment. Section 11406 is repealed as obsolete. The required reports were to be completed by January 1, 1982.

Welf. & Inst. Code § 11469 (amended). Group home performance

Comment. Section 11469 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1994.

Welf. & Inst. Code § 11476.6 (amended). Notification of receipt of child support payments

Comment. Section 11476.6 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by April 1, 1987.

Welf. & Inst. Code § 12312 (repealed). Report on pilot study findings

Comment. Section 12312 is repealed as obsolete. The required report was to be completed by May 1, 1982.

Welf. & Inst. Code § 14005.6 (amended). Eligibility for social security and Medicaid

Comment. Section 14005.6 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by July 30, 1985.

Welf. & Inst. Code § 14026.5 (amended). Medi-Cal fraud investigation

Comment. Section 14026.5 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1991.

Welf. & Inst. Code § 14041.5 (amended). Claim preparation and processing software

Comment. Section 14041.5 is amended to delete reference to obsolete reporting requirements. The required reports were to be completed by January 1, 1993.

Welf. & Inst. Code § 14087.2 (amended). Children's hospitals

Comment. Section 14087.2 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by February 1, 1984.

Welf. & Inst. Code § 14090 (repealed). Health benefits study

Comment. Section 14090 is repealed as obsolete. The required report was to be completed by October 1, 1987.

Welf. & Inst. Code § 14090.1 (repealed). Pilot project

Comment. Section 14090.1 is repealed as obsolete. The required report was to be completed by October 1, 1987. See former Section 14090.

Welf. & Inst. Code § 14090.2 (repealed). Assistance of department

Comment. Section 14090.2 is repealed as obsolete. The required report was to be completed by October 1, 1987. See former Section 14090.

Welf. & Inst. Code § 14090.3 (repealed). Necessary waivers

Comment. Section 14090.3 is repealed as obsolete. The required report was to be completed by October 1, 1987. See former Section 14090.

Welf. & Inst. Code § 14104.6 (amended). Fiscal intermediary service contracts

Comment. Section 14104.6 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1, 1981.

Welf. & Inst. Code § 14105.15 (amended). Payment systems

Comment. Section 14105.15 is amended to delete reference to an obsolete reporting requirement. The required study and report were to be completed by January 31, 1989.

Welf. & Inst. Code § 14195.8 (repealed). Therapeutic Drug Utilization Review System

Comment. Section 14195.8 is repealed as obsolete. The required report was to be completed by May 1, 1991.

Welf. & Inst. Code § 14492 (repealed). Publicly operated health service delivery systems

Comment. Section 14492 is repealed as obsolete. The required project and report were to be completed by December 31, 1982.

Welf. & Inst. Code § 14499.5 (amended). Medi-Cal pilot project

Comment. Subdivision (i) of Section 14499.5 is amended to delete an obsolete reference to the date on which the California Medical Assistance Commission's authority to negotiate contracts and rates commenced.

Subdivision (j) is deleted as obsolete. The required report was to be completed by January 1, 1988.

Welf. & Inst. Code § 16501.6 (repealed). Information regarding children placed in foster care

Comment. Section 16501.6 is repealed as obsolete. The required report was to be completed by February 15, 1992.

Welf. & Inst. Code § 16576 (amended). Statewide Child Support Registry

Comment. Subdivisions (b)-(e) of Section 16576 are amended to delete obsolete references to the dates on which the specified duties commenced.

Subdivision (f) is deleted as obsolete. The required report was to be completed by October 1, 1998.

Welf. & Inst. Code § 18379 (repealed). Report on programs relating to health of the elderly

Comment. Section 18379 is repealed as obsolete. The required report was to be completed by June 30, 1987.

Welf. & Inst. Code § 18989.3 (repealed). San Mateo County Consolidated Human Services Agency

Comment. Section 18989.3 is repealed as obsolete. The required report was to be completed by January 1, 1995.

Welf. & Inst. Code § 19856 (repealed). Utilization of supported employment and adaptive technology account

Comment. Section 19856 is repealed as obsolete. The required report was to be completed by July 1, 1987.
