

MEMORANDUM 2026-40

**Terminology Relating to Persons with Disabilities
(Public Comments and Discussion Draft)**

At its August 2026 meeting, the Commission¹ directed the staff to prepare a draft tentative recommendation for Terminology Relating to Persons with Disabilities² to generate further stakeholder discussion.³ Given that directive, the staff prepared a Discussion Draft pursuant to the definition of “Discussion Draft” in the California Law Revision Commission’s *Handbook of Practices and Procedures*, which better fits the Commission’s intent: “‘Discussion draft’ means a preliminary version of a Tentative Recommendation, issued for purposes of soliciting comment before formal public comment on a Tentative Recommendation.”⁴

This memorandum also contains public comments received relating to the study, which were incorporated into the Discussion Draft. The Discussion Draft also includes a comparison of the federal Americans with Disabilities Act⁵ definition of “disability” with the state’s Unruh Civil Rights Act,⁶ as discussed at the prior Commission meeting.⁷

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¹ Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s [website](#). Other materials can be obtained by contacting the Commission’s staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

² Memorandum [2026-34](#), p. 4.

³ [Video](#) (August 17, 2026) 44:20.

⁴ California Law Revision Commission, *Handbook of Practices and Procedures* § [25\(g\)](#).

⁵ Pub. L. No. [101-336](#).

⁶ Civ. Code § [51\(e\)\(1\)](#).

⁷ [Video](#) (August 17, 2026) 27:52, EX 22.

As with prior memoranda, a brief description of each commentator is below.

The Arc & United Cerebral Palsy California Collaboration

This comment was submitted by Greg deGiere, a Civil Rights Advocate with The Arc of California. According to its [website](#):

Since 1950, The Arc of California has been a leading statewide voice for the rights and full inclusion of people with intellectual and developmental disabilities and their families. As part of a national network of over 600 state and local chapters of The Arc, we collaborate with families, advocates, service providers, and allies to shape public policy, foster inclusive opportunities, and champion equity for all.

According to United Cerebral Palsy (UCP) of Sacramento and Northern California's [website](#),

UCP of Sacramento and Northern California is a leading provider of programs and services for children and adults with developmental disabilities.

By using evidence-based practices, UCP programs and services helps clients, and their families, to live a life with increased independence, productivity, and self-confidence.

[*REACH SD Senior and Disability Advocacy*](#), [*North County Equity and Justice Coalition*](#), [*Saving Lives in Custody California*](#), [*Natalie's Project*](#), [*Safe Outcomes for People with Behavioral Health and Other Disabilities*](#), [*Autumn's Compass*](#), [*Lived Experience Advisors*](#), [*North County News Pipeline*](#), [*Civic Mapping Inc.*](#), [*Compassion It*](#), [*Oceanside Homeless Resource*](#), [*House of Restoration Community Connections*](#), [*Garza Therapeutics*](#), [*LGBTQ Resource Center Oceanside*](#), and 30 individuals.

This comment was submitted by Jessica Kramer, the director of REACH SD Senior and Disability Advocacy, on behalf of REACH SD Senior and Disability Advocacy and the entities above (REACH Coalition). According to its [website](#):

Since 1969, REACH Services has embraced every individual as a unique opportunity for growth! We tailor our support to empower those with lifelong disabilities through effective communication, vibrant community programs, and nurturing residential services. Together, we help everyone shine and lead fulfilling lives.

PUBLIC COMMENT

The Arc & United Cerebral Palsy California Collaboration were co-sponsors of [AB 1906](#)⁸ and the author of the letter, Mr. deGiere, participated in the study's working

⁸ [2024 Cal. Stat. ch. 233](#) (AB 1906, Gipson).

group. The letter supports the working group’s consensus to replace “dependent adult” and “dependent person” with “adult with a disability as defined in Section []” and “person with a disability as defined in Section []” and states further:

Nothing in the law requires the commission to accept the terminology that the work group proposed. But if the commission were to decide not to accept the work group’s terminology recommendations, the commission then would be required to recommend its own preferred new terms.

We urge the commission to carry out its statutory responsibility by recommending consistent and comprehensive new language to the Legislature, to accept the stakeholder work group’s specific recommendations, and to submit its recommendations this year if possible, in time for the Legislature to consider them in 2027.⁹

The REACH Coalition also writes in support of replacing the terms “dependent adult” and “dependent person” with “adult with a disability as defined in Section []” and “person with a disability as defined in Section [].”

The REACH Coalition states that this replacement “best serves the intended purpose of AB 1906”¹⁰ and

Of added significance, the terms “adult/person with a disability as defined in section ____” will be the easiest to use, from a functional perspective, in the transition from the old terminology to the new terminology. Adults with Disabilities is already the most recognized and used substitute term in Law Enforcement, like the Senior & Disability Victimization Policy, which replaced the previously used Elder and Dependent Adult Abuse Policy. The State of California is also consistently using the terms Adults with Disabilities in its guiding documents, Advisory Committees, Commissions and Councils such as: [The Elder and Disability Justice Coordinating Council](#), [Equity Advisory Committee on Aging and Disability](#), [California Aging and Disability Research Partnership](#), [and the] [Disability and Aging Community Living Advisory Committee](#).¹¹ (hyperlinks added)

DISCUSSION DRAFT

The discussion draft is attached and proposes a public comment deadline of December 15, 2026.

⁹ EX 2.

¹⁰ EX 4.

¹¹ EX 5.

The Commission needs to decide whether to approve it for release as a discussion draft, with or without additional changes.

Respectfully submitted,

Sarah Huchel
Chief Deputy Director

Sharon Reilly
Executive Director



October 5, 2026

Richard Simpson, Chair, and Commissioners
California Law Revision Commission

Dear Mr. Simpson and Commissioners:

The Arc & United Cerebral Palsy California Collaboration was the sponsor of Assembly Bill 1906 of 2024, enacting Government Code Section 8290.7. I was a member of the stakeholder working group the commission convened to advise it pursuant to that section. We fully support the working group's recommendations to you for proposed actions to be included in your report to the Legislature as mandated by that code section.

Background

Disability and older adult groups and individuals have bristled for years at the demeaning and misleading terms “dependent adults” and “dependent persons.” In 2019, 20 disability, older adult, and related community organizationsⁱ formalized their desire at that time for change by asking the administration to include an item in the Master Plan on Aging recommending legislation to eliminate those terms from the codes, along with other items. Unfortunately, the administration took no action on the groups’ recommendations.

AB 1906 of 2024

This bill received careful consideration in the Assembly and Senate Judiciary and Appropriations Committees, with no opposition or concerns expressed at the hearings or in writing. It passed both houses unanimously and was signed by Governor Newsom.

The intent of the law as enacted by the bill is clear:

“It is the intent of the Legislature in enacting this act that the terms ‘dependent adult’ and ‘dependent person’ be replaced in code with updated terminology that respectfully describes these adults; and that the change in terminology is undertaken in a consistent and comprehensive manner that does not substantively alter existing law.”

The commission’s responsibility for carrying out this legislative intent is equally clear:

“The commission shall, with input from stakeholders ... complete and submit to the Legislature a study on how to remove the terms ‘dependent adult’ and ‘dependent person’ from California code sections.... The study shall identify all existing California code sections regarding persons who

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meet the definition of 'dependent adult' and 'dependent person' that should be amended in accordance with this subdivision.... The study shall include recommendations on how to revise existing California code sections in order to remove 'dependent adult' and 'dependent person' **and replace those terms with new terminology** in a manner that would describe these adults in a respectful way and that would preserve the legal rights and protections of both of the following groups of persons in a comprehensive and consistent manner."(Emphasis added.)

Stakeholder Work Group Recommendations

The work group spent intense hours over several meetings discussing possible new terms that we might recommend to the commission.

In our last meeting on November 17, 2025, a majority expressed a preference for the simple terms "adults with disabilities" and "persons with disabilities," adding "as defined in Section ____." Adding that reference to each relevant code section should reduce the confusion with current law that includes several different definitions of "dependent adult" and "dependent person" while following the legislative mandate that the recommended legislation would make no substantive change in current law. Of the minority who expressed a different first choice, most picked "adults with disabilities" and "persons with disabilities" as their second choice. Asked by staff if anyone opposed those terms, none said they opposed them.

I would argue the above constitutes a consensus, though nothing in the law or the commission's charge to the work group required consensus.

Further Expression of Legislative Intent

Aware of AB 1906 and the work group's recommendations, Assemblywoman Stephani authored and the Legislature in June 2026 unanimously passed Assembly Concurrent Resolution 206 stating in a Whereas clause, "The term 'dependent adult' is an antiquated pejorative that does not reflect the independence and value that adults with disabilities possess. **Usage of the term should be avoided and replaced with the term 'adults with disabilities'**" to accurately reflect this fact." (Emphasis added.)

A resolution such as ACR 206 has no force of law, but it sheds more light on the intent of the Legislature.

Conclusion

Nothing in the law requires the commission to accept the terminology that the work group proposed. But if the commission were to decide not to accept the work group's terminology recommendations, the commission then would be required to recommend its own preferred new terms.

We urge the commission to carry out its statutory responsibility by recommending consistent and comprehensive new language to the Legislature, to accept the stakeholder work group's specific recommendations, and to submit its recommendations this year if possible, in time for the Legislature to consider them in 2027.

If anyone then chooses to oppose the recommended bill or to seek amendments, I'm sure the Legislature will give their concerns serious consideration. Commission action is mandatory but far from the last word.

Sincerely,

A handwritten signature in cursive script that reads "Greg deGiere".

Greg deGiere
Civil Rights Advocate
The Arc of California

¹ The Arc of California; California Senior Legislature; Congress of California Seniors; California Alliance for Retired Americans; Justice in Aging; California Long Term Care Ombudsman Association; California Coalition of Agencies Serving Deaf and Hard of Hearing Persons; California Association of Human Relations Organizations; California Council of Churches IMPACT; State Long Term Care Ombudsman; Disability Rights California; California Supported Living Network; California Advocates for Nursing Home Reform; Center for Estate Administration Reform; State Council on Developmental Disabilities; Association of Regional Center Agencies; National Association of Social Workers-California; Center for the Study of Hate and Extremism, CSU San Bernardino; Disability & Abuse Project, Spectrum Institute; United Domestic Workers of America, AFSCME Local 3930.

TO: Sharon Reilly, Executive Director, California Law Revision Commission
Sarah Huchel, Chief Deputy Director, California Law Revision Commission
Steve Cohen, Attorney, California Law Revision Commission

FROM: REACH SD Senior & Disability Advocacy, and other relevant stakeholders

DATE: 10/01/2026

RE: CLRC Study I-200 - Terminology Relating to Persons with Disabilities.

Joint letter in support of replacing the terms “dependent adult” and “dependent person” with the terms “adult with a disability as defined in section ____” and “person with a disability as defined in section ____.”

We, the following groups, individuals and organizations, emphatically support the proposed terminology reached by consensus in the AB 1906 working group to replace the terms “dependent adult/person” with the terms “adult/person with a disability as defined in section ____.”

We appreciate the use of person-first language, and strongly believe that the terms “adult/person with a disability as defined in section ____” are the most respectful and accurate terms available.

The new proposed terminology best serves the intended purpose of AB 1906 while making no substantive alteration to existing law. The Bill title alone, Persons with Disabilities: Terminology, speaks to this fact. The title and intended purpose of AB1906 are in part included below for quick reference:

AB 1906 Bill Title: *California Law Revision Commission: persons with disabilities: terminology.*

SECTION 1. *Section 8290.7 is added to the Government Code, to read:*

8290.7. *(a) The Legislature finds and declares all of the following:*

(1) The terms “dependent adult” and “dependent person” are misleading because many of the people with disabilities that those terms cover live independently. These terms can mislead law enforcement officers, social workers, and even crime victims and their families to think that many people with disabilities are excluded from the law’s protections.

(2) The term "dependent" demeans and insults people with disabilities who may need special support and services, but may also have the desire and ability to live independently.

(3) It is a priority of this state to ensure that the language used to draft California laws, including the drafting guidelines for legislation, appropriately recognizes and represents people with disabilities.

(b) It is the intent of the Legislature in enacting this act that the terms "dependent adult" and "dependent person" be replaced in code with updated terminology that describes these adults in a respectful way; and that the change in terminology is undertaken in a consistent and comprehensive manner that does not substantively alter existing law.

It is clear that the replacement terms "adult/person with a disability as defined in section ____" meet the goals set out in AB 1906. Additionally, the new proposed terminology is well aligned with other corresponding state legislation related to persons with disabilities, including those disabilities caused by advanced aging, such as: SB338 Senior & Disability Justice Act, AB449 Hate Crimes, AB751 Elder Abuse, SB1123 Elder and Dependent Adult Abuse, Penal Code 422.55, Penal Code 368, and the Master Plan for Aging.

Furthermore, the State of California ACR206 Elder and Dependent Adult Abuse Awareness Month Proclamation states:

"WHEREAS, the term "dependent adult" is an antiquated pejorative that does not reflect the independence and value that adults with disabilities possess. Usage of the term should be avoided and replaced with the term "adults with disabilities" to accurately reflect this fact"

Of added significance, the terms "adult/person with a disability as defined in section ____" will be the easiest to use, from a functional perspective, in the transition from the old terminology to the new terminology. Adults with Disabilities is already the most recognized and used substitute term in Law Enforcement, like the Senior & Disability Victimization Policy, which replaced the previously used Elder and Dependent Adult Abuse Policy. The State of California is also consistently using the term Adults with Disabilities in its guiding documents, Advisory Committees, Commissions and Councils such as: The Elder and Disability Justice Coordinating Council, Equity Advisory Committee on Aging and Disability, California Aging and Disability Research Partnership, Disability and Aging Community Living Advisory Committee.

Thank you for your dedication, leadership, and consideration on this most important matter.

Sincerely,

Jessica Kramer
Director, REACH SD Senior and Disability Advocacy
reachsandiego@yahoo.com
619 577 5705

Groups and Organizations:

North County Equity and Justice Coalition
Saving Lives in Custody California
Natalie's Project
Safe Outcomes for People with Behavioral Health and Other Disabilities
Autumn's Compass
Lived Experience Advisors
North County News Pipeline
Civic Mapping Inc.
Compassion It
Oceanside Homeless Resource
House of Restoration Community Connections
Garza Therapeutics
LGBTQ Resource Center Oceanside

Person with a Disability, Family Member and/or Advocate:

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#I-200

STATE OF CALIFORNIA

CALIFORNIA LAW REVISION COMMISSION

DISCUSSION DRAFT

Terminology Relating to Persons with Disabilities

October 2026

The purpose of this draft report is to solicit public comment on the Commission's tentative findings. A comment submitted to the Commission will be part of the public record. The Commission will consider the comment at a public meeting when the Commission determines the content of its final report.

Specifically, the Commission is seeking public comment on whether to change the terms “dependent adult” and “dependent person” throughout all California codes, and if so, with which terms.

COMMENTS SHOULD BE RECEIVED BY DECEMBER 15, 2026.

Submit comments to Sarah Huchel, shuchel@clrc.ca.gov

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

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SUMMARY OF TENTATIVE RECOMMENDATION AND REQUEST FOR DISCUSSION

In 2024, the Legislature passed [Assembly Bill 1906](#)¹ by Assembly Member Gipson, which directed the Commission to recommend replacement terms for “dependent adult” and “dependent person” throughout the California codes, with new terms describing these persons in a more respectful way. Specifically, the Legislature directed the Commission to:

- (1) Submit to the Legislature a study on how to remove the terms “dependent adult” and “dependent person” from California code sections, including, but not limited to, the Penal Code, Welfare and Institutions Code, and Civil Code.
- (2) Convene a working group to provide input, including, but not limited to:
 - a. The state protection and advocacy agency.
 - b. The State Department of Social Services.
 - c. Groups representing persons who are described by the current definitions of “dependent adults” and “dependent persons.”
 - d. Persons who are described by the current definitions of “dependent adults” or “dependent persons.”
- (3) Include recommendations on how to revise existing California code sections in order to remove “dependent adult” and “dependent person” and replace those terms with new terminology in a manner that would describe these adults in a respectful way and that would preserve the legal rights and protections of both of the following groups of persons in a comprehensive and consistent manner:
 - a. Persons who meet the definition of “dependent adult” and “dependent person” as currently recognized in statute, regulation, and case law.
 - b. Persons who do not meet the definition of “dependent adult” and “dependent person” but are described in conjunction with such persons, including elders who are protected by laws governing “elder and dependent adult abuse.”²

The Commission convened the working group whose consensus replacement term was “(person/adult) with a disability,³ as defined in Section [section defining term].” The Commission analyzed the phrase “(person/adult) with a disability” to replace “dependent (person/adult)” and solicited additional feedback from stakeholders, some of whom preferred no change to existing law.

¹ [2024 Cal. Stat. ch. 233](#) (AB 1906).

² *Id.*

³ As used throughout this Memorandum, “(person/adult) with a disability” represents either “person with a disability” or “adult with a disability,” depending on the phrasing in existing code. “Dependent person” in current law would become “person with a disability” and “dependent adult” in current law would become “adult with a disability.”

The Commission tentatively recommends no change to existing law, as reflected in this Discussion Draft. Although the working group reached consensus on the phrase “(person/adult) with a disability, as defined in Section [section defining term],” some stakeholders who responded to the Commission’s subsequent outreach preferred to retain the existing terminology. The Commission is soliciting additional feedback.

Specifically, the Commission is seeking feedback on whether to change the terms “dependent adult” and “dependent person” throughout all California codes, and if so, with which terms.

TERMINOLOGY RELATING TO PERSONS WITH DISABILITIES

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BACKGROUND

In 2024, the Legislature passed [Assembly Bill 1906](#) by Assembly Member Gipson, which directed the Commission⁴ to recommend replacement terms for “dependent adult” and “dependent person” throughout the California codes, with new terms describing these persons in a more respectful way.⁵ The bill states the change is needed because the existing term “‘dependent’ demeans and insults people with disabilities who may need special support and services, but who may also have the desire and ability to live independently.”⁶ The bill further directed that the replacement terms “preserve [existing] legal rights and protections,” and are replaced in a “consistent and comprehensive manner that does not substantively alter existing law.”⁷ The bill also requires the Commission to convene a working group to provide input. The full text follows:

8290.7. (a) The Legislature finds and declares all of the following:

(1) The terms “dependent adult” and “dependent person” are misleading because many of the people with disabilities that those terms cover live independently. These terms can mislead law enforcement officers, social workers, and even crime victims and their families to think that many people with disabilities are excluded from the law’s protections.

(2) The term “dependent” demeans and insults people with disabilities who may need special support and services, but may also have the desire and ability to live independently.

(3) It is a priority of this state to ensure that the language used to draft California laws, including the drafting guidelines for legislation, appropriately recognizes and represents people with disabilities.

(b) It is the intent of the Legislature in enacting this act that the terms “dependent adult” and “dependent person” be replaced in code with updated terminology that describes these adults in a respectful way; and that the change in terminology is undertaken in a consistent and comprehensive manner that does not substantively alter existing law.

(c) (1) The commission shall, with input from stakeholders, including, but not limited to, the state protection and advocacy agency designated pursuant to Division 4.7 (commencing with Section 4900) of the Welfare and Institutions Code, complete and submit to the Legislature a study on how to remove the terms “dependent adult” and “dependent person” from California code sections,

⁴ Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission’s staff.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

⁵ [2024 Cal. Stat. ch. 233](#) (AB 1906, Gipson); Gov. Code § [8290.7](#).

⁶ [2024 Cal. Stat. ch. 233](#) (AB 1906, Gipson); Gov. Code § [8290.7\(a\)\(2\)](#).

⁷ [2024 Cal. Stat. ch. 233](#) (AB 1906, Gipson); Gov. Code § [8290.7\(b\)](#).

including, but not limited to, code sections that use the term “dependent” in conjunction with the term “elder” to describe the physical or financial abuse of persons who are elders or persons with a disability, including, but not limited to, the Penal Code, Welfare and Institutions Code, and Civil Code.

(2) As part of the study, the commission shall convene a working group that includes, but is not limited to, all of the following:

(A) The state protection and advocacy agency.

(B) The State Department of Social Services.

(C) Groups representing persons who are described by the current definitions of “dependent adults” and “dependent persons.”

(D) Persons who are described by the current definitions of “dependent adults” or “dependent persons.”

(3) The study shall identify all existing California code sections regarding persons who meet the definition of “dependent adult” and “dependent person” that should be amended in accordance with this subdivision.

(4) The study shall include recommendations on how to revise existing California code sections in order to remove “dependent adult” and “dependent person” and replace those terms with new terminology in a manner that would describe these adults in a respectful way and that would preserve the legal rights and protections of both of the following groups of persons in a comprehensive and consistent manner:

(A) Persons who meet the definition of “dependent adult” and “dependent person” as currently recognized in statute, regulation, and case law.

(B) Persons who do not meet the definition of “dependent adult” and “dependent person” but are described in conjunction with such persons, including elders who are protected by laws governing “elder and dependent adult abuse.”

(d) (1) The requirement for submitting the study imposed under subdivision (c) is inoperative on January 1, 2029, pursuant to Section 10231.5 of the Government Code.

(2) The study to be submitted pursuant to subdivision (c) shall be submitted in compliance with Section 9795 of the Government Code.⁸

EXISTING TERMS

As directed by the statute,⁹ the Commission researched existing code sections that contain “dependent person” or “dependent adult” to better understand the volume and context of potential changes.

The Commission found 196 code sections containing the terms “dependent adult” or “dependent person” throughout California codes.¹⁰

112 sections reference five different statutory definitions of “dependent adult”:

⁸ [2024 Cal. Stat. ch. 233](#) (AB 1906, Gipson).

⁹ Gov. Code § [8290.7\(c\)\(3\)](#).

¹⁰ Memorandum [2026-9](#), EX 1-4. A single section may have subsections that refer to multiple definitions.

- 18 code sections reference Penal Code Section [368\(h\)](#)¹¹
- Two sections reference Penal Code Section [1336\(c\)](#)¹²
- Three sections reference Probate Code Section [21366](#)¹³
- 80 sections reference Welfare & Institutions Code Section [15610.23](#)¹⁴
- Six sections reference either Welfare & Institutions Code Section [15610.23](#) or Section [15750\(b\)](#)¹⁵

¹¹ Pen. Code Section [368\(h\)](#) defines “dependent adult” as:

a person, regardless of whether the person lives independently, who is between the ages of 18 and 64, who has physical or mental limitations which restrict their ability to carry out normal activities or to protect their rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. “Dependent adult” includes a person between the ages of 18 and 64 who is admitted as an inpatient to a 24-hour facility, as defined in Sections [1250](#), [1250.2](#), and [1250.3](#) of the Health and Safety Code.

¹² This definition is identical to Pen. Code § [368\(h\)](#) except it uses the age range 18-65 years and refers to the persons as “his or her” rather than “their.”

¹³ Prob. Code Section [21366](#) defines “dependent adult” as:

a person who, at the time of executing the instrument at issue under this part, was a person described in either of the following:

(a) The person was 65 years of age or older and satisfied one or both of the following criteria:

(1) The person was unable to provide properly for his or her personal needs for physical health, food, clothing, or shelter.

(2) Due to one or more deficits in the mental functions listed in paragraphs (1) to (4), inclusive, of subdivision (a) of Section [811](#), the person had difficulty managing his or her own financial resources or resisting fraud or undue influence.

(b) The person was 18 years of age or older and satisfied one or both of the following criteria:

(1) The person was unable to provide properly for his or her personal needs for physical health, food, clothing, or shelter.

(2) Due to one or more deficits in the mental functions listed in paragraphs (1) to (4), inclusive, of subdivision (a) of Section [811](#), the person had substantial difficulty managing his or her own financial resources or resisting fraud or undue influence.

¹⁴ Welf. & Inst. Code § [15610.23](#):

(a) “Dependent adult” means a person, regardless of whether the person lives independently, between the ages of 18 and 64 years who resides in this state and who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities, or whose physical or mental abilities have diminished because of age.

(b) “Dependent adult” includes any person between the ages of 18 and 64 years who is admitted as an inpatient to a 24-hour health facility, as defined in Sections [1250](#), [1250.2](#), and [1250.3](#) of the Health and Safety Code.

¹⁵ Welf. & Inst. Code § [15750\(a\)](#) states that Welf. & Inst. Code § [15610.23](#) governs the construction of the chapter, but Welf. & Inst. Code § [15750\(b\)](#) provides an alternative definition “for the purposes of investigating or providing services under an adult protective services program pursuant to this chapter.” It is unclear which definition applies throughout the chapter. Welf. & Inst. Code § [15750\(b\)](#):

(1) (A) “Dependent adult” means any person residing in this state between 18 and 59 years of age, inclusive, who resides in this state, and who has a combination of a disability and the inability to protect their own interest, or who has an inability to carry out normal activities to protect their rights, including, but not limited to, persons who have physical or developmental disabilities, or whose physical or mental abilities have diminished because of age.

(B) “Dependent adult” includes any person between 18 and 59 years of age, inclusive, who is admitted as an inpatient to a 24-hour facility, as defined in Sections [1250](#), [1250.2](#), and [1250.3](#) of the Health and Safety

- Three sections reference Welfare & Institutions Code Section [15750\(b\)](#)

16 sections reference two different code sections with nearly the same definition¹⁶ of “dependent person:”

- Five sections reference Evidence Code Section [177](#)¹⁷
- 11 sections reference Penal Code Section [288\(f\)\(3\)](#)¹⁸

The variation between these definitions relate to age, personal characteristics, and circumstances that warrant additional support (for example, a person who “has a combination of a disability and the inability to protect their own interest, or who has an inability to carry out normal activities to protect their rights”¹⁹ or a person with “difficulty managing his or her own financial resources or resisting fraud or undue influence”²⁰).

Finally, the Commission found no statutory definition associated with 66 code sections.²¹ Proposing a substitute term for these terms complicates the Legislature’s directive that the terms be replaced both “in a consistent and comprehensive manner,” while at the same time avoiding “substantively alter[ing] existing law.”²² This could be resolved, however, by clarifying in statute and in Commission Comments that the terminology change shall not change existing law.

Code.

¹⁶ The Evidence Code section references “any person admitted” and the Penal Code references “a person admitted.”

¹⁷ Evid. Code § [177](#):

“Dependent person” means a person, regardless of whether the person lives independently, who has a physical or mental impairment that substantially restricts his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have significantly diminished because of age. “Dependent person” includes any person who is admitted as an inpatient to a 24-hour health facility, as defined in Sections [1250](#), [1250.2](#), and [1250.3](#) of the Health and Safety Code.

¹⁸ Pen. Code § [288\(f\)\(3\)](#):

“Dependent person” means a person, regardless of whether the person lives independently, who has a physical or mental impairment that substantially restricts his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have significantly diminished because of age. “Dependent person” includes a person who is admitted as an inpatient to a 24-hour health facility, as defined in Sections [1250](#), [1250.2](#), and [1250.3](#) of the Health and Safety Code.

¹⁹ Welf. & Inst. Code § [15750\(b\)\(1\)\(A\)](#).

²⁰ Prob. Code § [21366\(a\)\(2\)](#).

²¹ See e.g., Prob. Code § [1812\(b\)\(2\)\(B\)](#), which uses the term “dependent adult” without an associated definition.

²² Gov. Code § [8290.7\(b\)](#).

WORKING GROUP

The Commission convened four Working Group meetings between May and November 2025 with representatives from each of the following organizations:²³

Association of Regional Center Agencies
California Advocates for Nursing Home Reform
California Council of the Blind
California Department of Developmental Services
California Department of Rehabilitation
California Department of Social Services
California Department on Aging
California Disability Services Organization
California Long-Term Care Ombudsman Association
Californians for Disability Rights
Coelho Center for Disability Law, Policy, and Innovation
Disability Rights California
Disability Rights Education and Defense Fund
Disability Voices United
Educate Advocate
Justice in Aging
Reach San Diego
Statewide Disability Advisory Council
The Arc and United Cerebral Palsy California Collaboration
The Arc of California
USC Center for Elder Justice

Each meeting was primarily focused on identifying appropriate substitute terms for “dependent adult” and “dependent person.” Background materials prepared for the Working Group by the Commission included the code sections to be replaced²⁴ and factors to consider in replacing the terms.²⁵

At the final meeting, the Working Group members were polled on eight suggested substitute terms, ranked in order of preference:

“(Person/adult) with a disability, as defined in Section [section defining term]”
“(Person/adult) with a support need” (tie)
“(Person/adult) with a functional support need”
“Supported (person/adult)”
“(Person/adult) who is supported”
“(Person/adult) with a functional limitation”
“(Person/adult) needing functional support”

²³ The Working Group meetings were publicly noticed, and minutes and video recordings of each meeting are available on the Terminology Relating to Persons with Disabilities [study page](#).

²⁴ AB 1906 Working Group [Meeting Material](#), May 27, 2025.

²⁵ AB 1906 Working Group [Meeting Material](#), October 6, 2025, p. 3.

“(Person/adult) needing functional accommodation”²⁶

While the group did not reach unanimity, the phrase, “(person/adult) with a disability, as defined in Section [section defining term]” was the Working Group’s consensus choice.²⁷ The phrase “(person/adult) with a disability” was an early favorite of several members at the first meeting, but some expressed concern about confusing the replacement phrase with other uses of “(person/adult) with a disability” in existing code sections. A later suggestion by a member to clarify the intended definition with the cross reference garnered the resulting support.²⁸ (The Commission did not include “as defined in Section [section defining term]” as suggested by the Working Group in its analysis because in sections where a definition applies due to the principles of statutory construction, the phrase is unnecessary and would make replacing the existing terms unwieldy; in places where a definition is unclear, this phrase may force a definition that could be inappropriate.)

The term “person/adult with a support need,” which had been identified as a top choice by several group members at earlier meetings, was objected to by some because they felt the term was insufficiently specific and would be problematic for law enforcement officers or other individuals who would have difficulty determining an individual’s specific “support need.”²⁹

“Person/adult with a disability” as a replacement, and presence in existing law

The Commission evaluated the Working Group’s second and third preferences and found no use of either “person/adult with a support need” or “person/adult with a functional support need” in California codes. However, there are nearly 500 uses of the varying terms “(person/people/adult/individual) with [a] (disability/disabilities)” across multiple code sections, including more than 250 uses without a clear definition.³⁰ One could argue that it may be simpler to use a new term that does not add to the morass of existing law on this topic.

However, a review of the existing definitions for “(person/people/adult/individual) with [a] (disability/disabilities)” describe a person’s condition(s) that warrant additional protection or support not unlike those of “dependent person/adult.”³¹ There is an argument

²⁶ [Minutes](#) of 1906 Working Group Meeting (November 2025) p. 2.

²⁷ [Video](#) of AB 1906 Working Group Meeting on November 17, 2025, 46:24. The Working Group attendees were polled and “person with a disability, as defined in Section [section defining term]” was most individuals’ first or second choice.

²⁸ AB 1906 Working Group [Meeting Material](#), November 17, 2025, p. 3.

²⁹ Memorandum [2025-51](#), p. 6.

³⁰ Memorandum [2026-30](#), EX 15-294.

³¹ See, e.g., Ins. Code § [927.1\(f\)](#); Welf. & Inst. Code §§ [9653](#), [19151](#), [19404\(b\)](#), [21001\(a\)](#); Gov. Code § [19231](#); Prob. Code § [3603](#); EX 1. Many of these terms across the codes rely on specific definitions of “disability” (and

that there are more similarities than differences between the existing definitions of “dependent person/adult” and “person/adult with a disability.”³² Thus, introducing a new phrase with multiple, related definitions that overlap with an existing term could cause greater confusion than adding more definitions to that existing term that already has many definitions.

STAKEHOLDER FEEDBACK

Following publication of a Memorandum proposing to explore “(person/adult) with a disability” as the replacement term,³³ the California Lawyers Association Trusts and Estates Section Executive Committee (TEXCOM) submitted comments expressing their preference for keeping the existing terms in the Probate Code and the Elder Abuse and Dependent Adult Civil Protection Act (EADACPA).³⁴ Based on TEXCOM’s feedback, the Commission conducted additional outreach to organizations interacting with or representing individuals described as “dependent adults” or “dependent persons.” The Commission focused on entities representing counties, law enforcement, older adults, and professional organizations.³⁵

The Commission received feedback from six additional organizations.³⁶ Of those seven, three agreed with TEXCOM’s analysis about keeping some of the terms unchanged, one group’s feedback was unclear,³⁷ and two supported the proposed change to “(adult/person) with a disability.” No groups opposing change provided alternative terms.

TEXCOM

TEXCOM acknowledges the tension in the Legislature’s dual directives to both replace and maintain the meanings of existing terms and believes that “dependent adult” should remain in both the Probate Code and EADACPA to avoid disruption.³⁸

variations thereof) rather than “person/adult/individual with a disability.” See, e.g., Gov. Code § [12926\(j\), \(m\)](#), which defines “mental disability” and “physical disability” for purposes of the Fair Employment and Housing Act, Gov. Code §§ [12900-12996](#) and the Unruh Civil Rights Act (Civ. Code § [51](#)) and Civ. Code § [54](#).

³² Memorandum [2026-9](#), EX 1-2 provides a chart comparing the various definitions.

³³ Memorandum [2026-9](#).

³⁴ Welf. & Inst. Code §§ [15600-15675](#); Memorandum [2026-20](#), EX 1-4.

³⁵ Memorandum [2026-20](#). Commissioner Bee also proposed seeking input from the Institute on Aging in San Francisco and Legal Assistance for Seniors in Oakland. [Minutes](#) (May 2026) p. 4.

³⁶ California Association of Health Facilities; County Welfare Directors Association of California; Legal Assistance for Seniors; California Commission on Aging; California Department of Justice, Division of Medi-Cal Fraud and Elder Abuse; and the California State Association of Public Administrators, Public Guardians, and Public Conservators. Memorandum [2026-30](#).

³⁷ Memorandum [2026-30](#), p. 6.

³⁸ Prob. Code §§ [859](#), [4231.5\(c\)](#), [21366](#), [21362](#), [21380\(a\)\(3\), \(4\)](#); [21611\(d\)\(1\)\(A\)](#); EADACPA: Welf. & Inst. Code §§ [1500-15675](#); Memorandum [2026-20](#), EX 1.

TEXCOM first addresses Probate Code Section 21366's definition of "dependent adult" and argues that it differs from other codes' definitions of "dependent adult":

The focus of [Probate Code] section 21366 is on the adult's vulnerability and susceptibility to undue influence, or inability to otherwise protect oneself. The degree of impairment described in section 21366 is substantially greater than the degree described in those other California Code sections. For example, Penal Code section 368(h) and Evidence Code section 177 define "dependent adult" to include persons who have physical or developmental disabilities that fall short of the definition in section 21366.³⁹

Probate Code section [21366](#) currently reads:

"Dependent adult" means a person who, at the time of executing the instrument at issue under this part, was a person described in either of the following:

(a) The person was 65 years of age or older and satisfied one or both of the following criteria:

(1) The person was unable to provide properly for his or her personal needs for physical health, food, clothing, or shelter.

(2) Due to one or more deficits in the mental functions listed in paragraphs (1) to (4), inclusive, of subdivision (a) of Section 811, the person had difficulty managing his or her own financial resources or resisting fraud or undue influence.

(b) The person was 18 years of age or older and satisfied one or both of the following criteria:

(1) The person was unable to provide properly for his or her personal needs for physical health, food, clothing, or shelter.

(2) Due to one or more deficits in the mental functions listed in paragraphs (1) to (4), inclusive, of subdivision (a) of Section 811, the person had substantial difficulty managing his or her own financial resources or resisting fraud or undue influence.

Conversely, TEXCOM concedes that the EADACPA's definition of "dependent adult"⁴⁰ closely resembles Penal Code Section 368(h) and Evidence Code Section 177 but argues that "dependent adult" should be preserved in EADACPA because in practice the individual's characteristics are more similar to Probate Code Section 21366.⁴¹

While there are some differences between these definitions of "dependent adult," there is an argument that the Probate and other codes' definitions share more similarities than

³⁹ Memorandum [2026-20](#), EX 2.

⁴⁰ Welf. & Inst. Code § [15610.23](#).

⁴¹ Memorandum [2026-20](#), EX 3. TEXCOM also notes that Welf. & Inst. Code § [15610](#) provides that definitions in that article apply across EADACPA "unless the context requires otherwise." TEXCOM argues this phrase creates ambiguity regarding which definition of "dependent adult" applies. Although TEXCOM expresses concern that replacing "dependent adult" with a different term could increase this ambiguity, there is an argument that the source of any existing uncertainty is the relationship among the statutory provisions themselves, not the terms used. Memorandum [2026-30](#), EX 13.

differences. For example, both the Penal Code and Evidence Code sections referenced above also define a “dependent adult” as a person who is unable to protect their rights. Those code sections currently read:

Penal Code Section 368(h)

(h) As used in this section, “dependent adult” means a person, regardless of whether the person lives independently, who is between the ages of 18 and 64, who has physical or mental limitations which restrict their ability to carry out normal activities or to protect their rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. “Dependent adult” includes a person between the ages of 18 and 64 who is admitted as an inpatient to a 24-hour health facility, as defined in Sections 1250, 1250.2, and 1250.3 of the Health and Safety Code. (Emphasis added.)

Evidence Code Section 177

“Dependent person” means a person, regardless of whether the person lives independently, who has a physical or mental impairment that substantially restricts his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have significantly diminished because of age. “Dependent person” includes any person who is admitted as an inpatient to a 24-hour health facility, as defined in Sections 1250, 1250.2, and 1250.3 of the Health and Safety Code. (Emphasis added.)

Welfare & Institutions Code Section 15610.23 (EADACPA)

(a) “Dependent adult” means a person, regardless of whether the person lives independently, between the ages of 18 and 64 years who resides in this state and who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities, or whose physical or mental abilities have diminished because of age.

(b) “Dependent adult” includes any person between the ages of 18 and 64 years who is admitted as an inpatient to a 24-hour health facility, as defined in Sections 1250, 1250.2, and 1250.3 of the Health and Safety Code. (Emphasis added)

Similarly, Welfare and Institutions Code Section 15750 defines a dependent adult as someone who must have a “combination of a disability and the inability to protect their own interest, or who has an inability to carry out normal activities to protect their rights....”⁴²

TEXCOM also notes that the Legislature did not include the phrase “regardless of whether the person lives independently” in Probate Code Section 21366’s definition of “dependent adult,” thus implying that the persons defined by that section do not live

⁴² Welf. & Inst. Code § [15750\(b\)\(1\)\(A\)](#). This is not part of EADACPA.

independently and fall outside the Legislature’s directive to clarify that some individuals presently defined as “dependent” may live independently.⁴³ The Commission notes the absence of this phrase does not exclude individuals who live independently, and Probate Code Section 21366 is not alone in this exclusion; Welfare and Institutions Code Section 15750 also defines “dependent person” without this phrase.⁴⁴ Further, other sections of the Probate Code include, by reference, definitions that permit independence: Probate Code Sections 859 and 4231.5(c) refer to “dependent adult” in Welfare and Institutions Code Section 15610.23,⁴⁵ which includes the phrase “regardless of whether the person lives independently.”

TEXCOM next argues that replacing “dependent adult” with “an adult [or person] with a disability” in the Probate Code

...would invite a reinterpretation of section 21366 that such adults without an identifiable disability are not vulnerable which may embolden abusers. It is foreseeable that protections for dependent adults, including presumed invalidity of donative transfers procured by care custodians, restraining orders, and enhanced penalties against abusers, could be undermined. Conversely, there is the potential that a person with an identifiable disability who lives independently would be deemed to fall under and in need of the greater protections provided by section 21366, contrary to the stated basis of promoting a perception that an adult with a disability can live independently.⁴⁶

The Commission appreciates TEXCOM’s concern that changing “dependent adult” in EADACPA could be construed as a restriction of the Act’s protections.⁴⁷ As proposed,⁴⁸ however, the replaced terms would not change the statutes’ definitions, only the terms themselves. Therefore, if Probate Code Section 21366 was to refer to an “adult with a disability” rather than a “dependent adult,” the underlying definition of “dependent adult” would remain unchanged. To address the possibility that the change could be interpreted as a restriction of the Act’s protections, the Commission proposes to include in codified language and a Commission Comment that any change “shall not increase or decrease the legal rights or protections of persons currently or formerly defined in statute, regulation, or case law as a ‘dependent adult’ or ‘dependent person.’”⁴⁹

⁴³ Memorandum [2026-30](#), EX 2.

⁴⁴ Welf. & Inst. Code § [15750](#).

⁴⁵ Prob. Code §§ [859](#) and [4231.5\(c\)](#) refer to Welf. & Inst. Code § [15610.30](#), which in turn relies on the definition of “dependent adult” in Welf. & Inst. Code § [15610.23](#).

⁴⁶ Memorandum [2026-30](#), EX 2.

⁴⁷ *Id.* at EX 1-2.

⁴⁸ *Id.* at EX 15.

⁴⁹ *Id.* at p. 5. A Commissioner later suggested changing “is not intended to and does not” to “shall not.”

TEXCOM believes further confusion would result from changing “dependent adult” in Probate Code Section 21366 to “adult with a disability” because there is an existing definition of “person with a disability” in Probate Code section 3603.⁵⁰ The Commission notes that the proposed replacement terms would preserve the original descriptor, either “adult” or “person.” Therefore, proposed Probate Code Section 21366 would be “adult with a disability” and Section 3603 would remain “person with a disability.” Further, each phrase would retain its meaning within its jurisdiction. For example, Probate Code Section 21366 defines “dependent adult” for the limited purposes of Part 3.7 of Division 11 of the Probate Code, and “person with a disability” in Section 3603 applies for the limited purposes of Chapter 4, Part 8, of Division 4 of the Probate Code. This would continue with substituted terms.

TEXCOM argues that multiple definitions of “person/adult with a disability” would cause inconsistency within the Probate Code, violating the Legislature’s directive to replace “dependent person” and “dependent adult” “in a consistent and comprehensive manner that does not substantively alter existing law.”⁵¹ There are already, however, multiple definitions of “dependent person,” “dependent adult,” and “person with a disability” throughout the codes (and within individual codes).⁵²

California’s Unruh Civil Rights Act⁵³ acknowledges the multiple definitions of “disability” and emphasizes that California embraces them to result in a broader definition of “disability” than the federal Americans with Disabilities Act of 1990.⁵⁴

The law of this state contains broad definitions of physical disability, mental disability, and medical condition. It is the intent of the Legislature that the definitions of physical disability and mental disability be construed so that applicants and employees are protected from discrimination due to an actual or perceived physical or mental impairment that is disabling, potentially disabling, or perceived as disabling or potentially disabling.⁵⁵

...In addition, the Legislature has determined that the definitions of “physical disability” and “mental disability” under the law of this state require a “limitation” upon a major life activity, but do not require, as does the federal Americans with Disabilities Act of 1990, a “substantial limitation.”⁵⁶

⁵⁰ Prob. Code § [3603](#).

⁵¹ Gov. Code § [8290.7\(b\)](#).

⁵² Memorandum [2026-9](#), EX 1.

⁵³ The Unruh Civil Rights Act defines “disability” as “any mental or physical disability as defined in Sections 12926 and 12926.1 of the Government Code.” Civ. Code § [51\(e\)\(1\)](#).

⁵⁴ Pub. L. No. [101-336](#).

⁵⁵ Civ. Code § [12926.1\(b\)](#).

⁵⁶ Civ. Code § [12926.1\(c\)](#).

TEXCOM rightly notes that “dependent adult” is used in Judicial Council and other legal forms, and that any term changes would require commensurate form changes. CLRC was not directed to consider this in its study, though any change in terms, regardless of the change, would require editing the related forms. Similarly, regulations would also need to be changed.

Other stakeholder feedback

County Welfare Directors Association of California

County Welfare Directors Association of California (CWDA), which represents the human service directors from each of California’s 58 counties,⁵⁷ submitted feedback that did not explicitly support or reject replacing “dependent adult/person” with “adult/person with a disability”; the Commission requested further clarification⁵⁸ but none was received.

California Association of Health Facilities

California Association of Health Facilities, which represents skilled-nursing facilities and intermediate-care facilities for people with intellectual disabilities,⁵⁹ echoed many of TEXCOM’s arguments, preferring that “dependent adult” remain in the Probate Code and EADACPA.⁶⁰

Legal Assistance for Seniors

Legal Assistance for Seniors, which provides free legal representation and advice, health insurance counseling, and community education to qualified Alameda County residents,⁶¹ also stated their agreement with TEXCOM’s analysis.⁶²

California Commission on Aging

California Commission on Aging (CCoA) is “the principal advocate in the state on behalf of older individuals, including, but not limited to, advisory participation in the consideration of all legislation and regulations made by state and federal departments and agencies relating to programs and services that affect older individuals.”⁶³ CCoA supports replacing “dependent adult/person” with “adult/person with a disability” because they support using person first language, “dependent adult” is not accurate or respectful to active

⁵⁷ CDWA, “[About CWDA](#).”

⁵⁸ Memorandum [2026-30](#), EX 7.

⁵⁹ California Association of Health Facilities, “[About California Association of Health Facilities](#).”

⁶⁰ Memorandum [2026-30](#), EX 5.

⁶¹ Legal Assistance for Seniors, “[About](#).”

⁶² Memorandum [2026-30](#), EX 8.

⁶³ California Commission on Aging, “[About CCoA](#).”

and independent community members, and they affirm that “person with a disability” is a common term in the field of aging.⁶⁴

California Department of Justice, Division of Medi-Cal Fraud and Elder Abuse

The Division of Medi-Cal Fraud and Elder Abuse (DMFEA) within the California Department of Justice provided technical assistance. DMFEA relies on “dependent adult” as defined in Penal Code Section [368\(h\)](#) and referenced in the Judicial Council of California Jury Instruction [831](#).

DFEA echoes TEXCOM’s concerns, and they are particularly worried about the impact of a terminology change to their work protecting individuals in healthcare facilities.

...“adult with disability” is both overly broad and too limiting. It is too broad because it would include individuals who may have disability but are not necessarily vulnerable or limited in their abilities to carry out normal activities. It is limiting because it could exclude people in facilities or at home who are dependent for care but don’t necessarily have a disability.⁶⁵

As noted in the response to TEXCOM and in compliance with the Legislature’s directive, any replacement terms would retain the existing underlying definition, and any Commission recommendation could include language clarifying that the terminology change shall not impact any existing rights and responsibilities.

California State Association of Public Administrators, Public Guardians, and Public Conservators

The California State Association of Public Administrators, Public Guardians, and Public Conservators (PAPGPC):

...is a non-profit association representing government officials and employees who provide services to the citizens of California through the Public Administrator, Public Guardian and Public Conservator offices in each of California’s 58 counties. These agencies act as the legal guardian or conservator of older and dependent adult Californians who are no longer able to act in their own best interest, resist undue influence, or are gravely disabled as a result of a psychiatric or cognitive disorder. The agencies also act as the personal representative for decedent estates for whom there is no other person willing or able to act.⁶⁶

PAPGPC membership identified the potential for confusion among the public if the terms were switched to “person/adult with a disability” because this phrase already exists

⁶⁴ Memorandum [2026-30](#), EX 9.

⁶⁵ Memorandum [2026-30](#), EX 10.

⁶⁶ California State Association of PA | PG | PC, “[About PAPGPC](#).”

throughout California codes.⁶⁷ A PAPGPC member expressed concern that changing the terminology may result in widespread mistaken assumptions that every adult with a disability is an Adult Protective Services (APS) client, where eligibility instead depends on specific statutory definitions. They further stated that if the terminology changes, but the eligibility does not (which would be the case), there are still concerns that APS programs could see higher referral volumes and more client inquiries.⁶⁸

Despite these concerns, some PAPGPC members support replacing the terms with person-first language,⁶⁹ particularly because California’s regional centers have already been using person-first language for 10-15 years and it “promot[es] dignity, respect, and inclusion.”⁷⁰

Recent Stakeholder Feedback

The Arc & United Cerebral Palsy California Collaboration

The Arc & United Cerebral Palsy California Collaboration were co-sponsors of [AB 1906](#).⁷¹ The Arc is “a leading statewide voice for the rights and full inclusion of people with intellectual and developmental disabilities and their families,”⁷² and United Cerebral Palsy (UCP) “is a leading provider of programs and services for children and adults with developmental disabilities.”⁷³

The author of this letter participated in this study’s working group, and the letter supports the working group’s consensus to replace “dependent adult” and “dependent person” with “adult with a disability as defined in Section [.]” and “person with a disability as defined in Section [.]” It states further:

Nothing in the law requires the commission to accept the terminology that the work group proposed. But if the commission were to decide not to accept the work group’s terminology recommendations, the commission then would be required to recommend its own preferred new terms.

We urge the commission to carry out its statutory responsibility by recommending consistent and comprehensive new language to the Legislature, to accept the stakeholder work group’s specific recommendations, and to submit its recommendations this year if possible, in time for the Legislature to consider them

⁶⁷ Memorandum [2026-30](#), EX 11.

⁶⁸ *Id.*

⁶⁹ “Person-first language” emphasizes the person rather than the disease, condition, or disability. For additional explanation, see National Institutes of Health, NIH Style Guide, [Person-first and Destigmatizing Language](#).

⁷⁰ Memorandum [2026-30](#), EX 12.

⁷¹ [2024 Cal. Stat. ch. 233](#) (AB 1906, Gipson).

⁷² ARC, “[About Us](#).”

⁷³ UCP, “[About UCP](#).”

in 2027.⁷⁴

REACH SD Senior and Disability Advocacy, North County Equity and Justice Coalition, Saving Lives in Custody California, Natalie’s Project, Safe Outcomes for People with Behavioral Health and Other Disabilities, Autumn’s Compass, Lived Experience Advisors, North County News Pipeline, Civic Mapping Inc., Compassion It, Oceanside Homeless Resource, House of Restoration Community Connections, Garza Therapeutics, LGBTQ Resource Center Oceanside, and 30 individuals.

This comment was submitted by Jessica Kramer, the director of REACH SD Senior and Disability Advocacy, on behalf of REACH SD Senior and Disability Advocacy and the entities above (REACH Coalition). REACH tailors its “support to empower those with lifelong disabilities through effective communication, vibrant community programs, and nurturing residential services.”⁷⁵

The REACH Coalition also writes in support of replacing the terms “dependent adult” and “dependent person” with “adult with a disability as defined in Section []” and “person with a disability as defined in Section [].”

The REACH Coalition states that this replacement “best serves the intended purpose of AB 1906”⁷⁶ and:

Of added significance, the terms “adult/person with a disability as defined in section ____” will be the easiest to use, from a functional perspective, in the transition from the old terminology to the new terminology. Adults with Disabilities is already the most recognized and used substitute term in Law Enforcement, like the Senior & Disability Victimization Policy, which replaced the previously used Elder and Dependent Adult Abuse Policy. The State of California is also consistently using the terms Adults with Disabilities in its guiding documents, Advisory Committees, Commissions and Councils such as: The Elder and Disability Justice Coordinating Council, Equity Advisory Committee on Aging and Disability, California Aging and Disability Research Partnership, [and the] Disability and Aging Community Living Advisory Committee.⁷⁷ (hyperlinks added)

⁷⁴ EX 2.

⁷⁵ REACH, “[About](#).”

⁷⁶ EX 4.

⁷⁷ EX 5.

AB 1906 AND ACR 206

AB 1906 and “Adult/Person with a Disability”

The introduced version of the bill directing this study originally proposed replacing some of the terms “dependent adult” and “dependent person” with “(adult/person) with a disability” and declared “the intent of the Legislature in enacting this act that the terms ‘dependent adult’ and ‘dependent person’ be replaced in code with the term ‘adult with a disability’ or ‘person with a disability’ in future changes to the code.”⁷⁸

However, the bill was amended in the Assembly Judiciary Committee to direct the California Law Revision Commission to recommend comprehensive changes to the terminology instead. The analysis did not fault the replacement term, and in fact the amended bill uses the term “people with disabilities” four times, but rather its proposed application:

In most cases, this [replacing “dependent adult” with “adult with a disability”] would appear to accomplish the goals of the author and sponsor in a relatively straightforward and non-substantive way. In a few cases, however, it could have unintended, unforeseeable, and even negative consequences. For example, as explained above, several provisions of existing law apply to both elders and “dependent” adults. But seeking to remove the term “dependent” from the phrase, “abuse of an elder or dependent adult” from the codes, the bill in print suggests substituting the phrase “elders *or adults with disabilities*.” This could be interpreted to mean that only an elder who was disabled (by a condition other than age) would be protected by multiple laws, including EADACPA, which would be a negative and unintended consequence of the proposed change in terminology.⁷⁹

The bill as introduced also did not include all instances of the terms “dependent adult” and “dependent person” throughout the statutes.⁸⁰ The Commission reached out to the Committee counsel to further clarify the circumstances of the bill’s amendment and it was suggested that in cases like the one above, confusion could be abated by switching the word order from “elders or adults with disabilities” to “adults with disabilities or elders.”⁸¹

Assembly Concurrent Resolution 206

The Legislature again addressed concerns with the phrase “dependent adult” and “dependent person” with Resolution Chapter 146 of the Statutes of 2026 (ACR [206](#),

⁷⁸ [AB 1906](#) (Gipson), version 1/23/24.

⁷⁹ [Assembly Committee on Judiciary Analysis](#) of AB 1906 (March 7, 2024), p. 5.

⁸⁰ [AB 1906](#) (Gipson), version 1/23/24.

⁸¹ Conversation between Assembly Committee on Judiciary staff and the Commission, November 4, 2025.

Stefani) relating to Elder and Dependent Adult Abuse Awareness Month. This resolution was passed by the Legislature on July 6, 2026⁸² and states, among other items:

WHEREAS On September 14, 2024, Governor Gavin Newsom signed Assembly Bill 1906, authored by Assembly Member Mike Gipson, which requires the California Law Revision Commission to submit a study to the Legislature on how to remove the outdated terms “dependent adult” and “dependent person” from California law; and

WHEREAS, The term “dependent adult” is an antiquated pejorative that does not reflect the independence and value that adults with disabilities possess. Usage of the term should be avoided and replaced with the term “adults with disabilities” to accurately reflect this fact; and

This is evidence of the Legislature’s continued interest in replacing “dependent adult” and “dependent person” with “person with a disability” throughout the California codes.

OTHER CLRC TERMINOLOGY STUDIES

The CLRC has previously been directed to study terminology changes under varying directions from the Legislature. This section analogizes the Legislative directives and Commission results in relation to the current study.

Fish and Game Law, Study R-100

In 2012, the Commission was authorized to propose extensive revisions to the Fish and Game Code. Specifically, the authorizing legislation stated the Commission could study:

Whether the Fish and Game Code and related statutory law should be revised to improve its organization, clarify its meaning, resolve inconsistencies, eliminate unnecessary or obsolete provisions, standardize terminology, clarify program authority and funding sources, and make other minor improvements, without making any significant substantive change to the effect of the law.⁸³

This authorization resulted in three final recommendations, all of which resulted in chaptered legislation.⁸⁴

The Fish and Game Law study is not directly analogous to the study on Terminology Relating to Persons with Disabilities because it proposed more comprehensive statutory changes, but it illustrates the complexity of satisfying various stakeholder groups.

⁸² The bill passed 65-0 in the Assembly and 36-0 in the Senate.

⁸³ [2012 Cal. Stat. res. ch. 108](#) (ACR 98, Wagner).

⁸⁴ [2016 Cal. Stat. ch. 546](#) (SB 1473, Committee on Natural Resources and Water); [2015 Cal. Stat. ch. 154](#) (AB 1527, Committee on Water, Parks, and Wildlife); and [2023 Cal. Stat. ch. 154](#) (AB 1760, Committee on Water, Parks, and Wildlife) enacted the Commission’s Recommendations, [Fish and Game Law: Technical Revisions and Minor Substantive Improvements](#) Parts 1, 2, and 3, respectively.

The Department of Fish and Wildlife objected to many of the more substantive provisions and explained that the reorganization proposed was “likely to result in confusion at best, and at worst, a Code that is difficult to use and not supported by the department that is charged with its administration and enforcement.”⁸⁵ The resulting legislation only codified those provisions agreed to by the Commission and the Department.⁸⁶ Unlike in the instant study, the Commission was not mandated to make any changes. Nonetheless, the Commission proceeded in agreement with the major stakeholder.

Equal Rights Amendment, Study I-100

In 2022, as part of the Legislature’s directive for the Commission to “undertake a comprehensive study of California law to identify any defects that prohibit compliance with the [Equal Rights Amendment],” the Commission researched California statutes “... to remedy defects related to (i) inclusion of discriminatory language on the basis of sex....”⁸⁷

The Commission interpreted “discriminatory language” as words and phrases that foster stereotypes of individuals or groups of people, predominately in ways that demean or ignore them.⁸⁸ Gender biased language is a type of discriminatory language which “either implicitly or explicitly favors one gender over another.”⁸⁹ Examples of gender biased language are terms such as “he” or “she” or “husband” and “wife.”⁹⁰

The Commission noted that the Legislature continually makes efforts to remove gender biased language through specific legislation⁹¹ and general bill drafting policies,⁹² but some vestiges remain.⁹³ The Commission identified remaining terms in California statutes such

⁸⁵ [Fish and Game Law: Technical Revisions and Minor Substantive Improvements \(Part 3\)](#) (Pre-print – February 2023) pp. 2-3.

⁸⁶ [Senate Committee on Natural Resources Analysis](#) of AB 1760 (June 27, 2023) p. 1.

⁸⁷ [2022 Cal. Stat. res. ch. 150](#) (SCR 92, Leyva).

⁸⁸ European Institute for Gender Equality, [Gender-sensitive communication](#).

⁸⁹ *Id.*

⁹⁰ See, e.g., Fam. Code § [11](#) (“A reference to ‘husband’ and ‘wife,’ ‘spouses,’ or ‘married persons,’ or a comparable term, includes persons who are lawfully married to each other and persons who were previously lawfully married to each other, as appropriate under the circumstances of the particular case.”).

⁹¹ See, e.g., [2016 Cal. Stat. ch. 50](#) (SB 1005, Jackson) (replacing references to a “husband” or “wife” with references to a “spouse”) and [2013 Cal. Stat. ch. 510](#) (AB 1403, Committee on Judiciary) (updating statutory terms within the Uniform Parentage Act to replace “father” and “mother” with “parent,” among other amendments).

The Legislature also placed Proposition 11, Miscellaneous Language Changes Regarding Gender, on the ballot in 1974. This proposition amended the California Constitution to recast masculine gendered terms to instead refer to the “person” or individual referred to. It [passed successfully](#) with 50.43% of the vote.

⁹² Bills with content not otherwise related to sex and gender typically contain technical amendments to update terms such as “he or she.” See e.g., [2024 Cal. Stat. ch. 109](#) (AB 2582, Pellerin), which changed references to “he or she” with “the voter,” among other amendments.

⁹³ See, e.g., Gov. Code § [21629](#) (referring to “his” and “her”); Fam. Code §§ [803](#) (referring to a “married woman”), [7540](#) (referring to “husband” and “woman”); Unemp. Ins. Code § [631](#) (referring to “father,” “mother,”

as “fireman” and “Chairman,”⁹⁴ but rather than recommend changes, the Commission instead deferred to the Office of Legislative Counsel, which has the ongoing mandate to revise existing statutes and draft new legislation with inclusive language.⁹⁵ In doing so, the Commission recognized that the problem was already identified and was being resolved. The Commission ultimately recommended a broader change which addressed the core of the Legislature’s direction to promote equal rights, and the bill enacting the recommendation becomes effective January 1, 2027.⁹⁶

Landlord and Tenant Terminology, Study H-109

In 2022, the Legislature directed the Commission to study the possibility of changing the terms “landlord” and “tenant” throughout California codes in a manner that would preserve existing rights and protections.⁹⁷ The bill further stated that, if Commission determines that new terminology is warranted, the Commission shall make legislative recommendations to effect those changes.

The Commission concluded that a new statutory scheme was not warranted for several reasons. First, most existing uses of “landlord” and “tenant” appear without an accompanying definition, making their precise intended legal meaning unclear. Second, where a definition does exist, definitions vary widely; for example, “tenant” is variously defined to include an RV owner who has occupied a lot for more than 30 days, a sublessee, and a paying guest.⁹⁸ Third, similar problems arise for related terms used without definition, including “landlord,” “lessor,” and “owner,” as well as “tenant,” “lessor,” and “renter.” Based on common usage, “lessor” might refer to a person contractually obligated and protected by a lease, and “owner” might refer to holder of title to the residential property, but no similar inference is possible for “landlord,” which may or may not include “lessors” or “owners” depending on the context. Finally, “landlord” and “tenant” are deeply entrenched in California law and common usage, and the Commission was unable to identify a replacement term with reasonable consensus.

Given this uncertainty, the Commission concluded it could not recommend replacement terminology without risking changes to the underlying law and confusing the public. This conclusion was consistent with the Legislature’s directive in the original bill—first, to

“son,” and “daughter”).

⁹⁴ Memorandum [2024-17](#), p. 7.

⁹⁵ [Minutes](#) (May 2024), pp. 5-6.

⁹⁶ [2026 Cal. Stat. ch. 952](#) (AB 2563, Pacheco).

⁹⁷ [2022 Cal. Stat. ch. 462](#) (AB 2503, C. Garcia)

⁹⁸ [Landlord and Tenant Terminology](#) (Preprint – October 2024) p. 4.

determine whether changing “landlord” and “tenant” was practicable, and only if so, for the Commission make a recommendation for change.

The directive for the Terminology Relating to Persons with Disabilities study contains no such condition. Here, the Legislature directed the Commission to “complete ... a study on how to remove the terms ‘dependent adult’ and ‘dependent person’ from California code sections” and “include recommendations on how to revise existing California code sections.” Unlike the landlord-tenant directive, which asked the Commission to determine whether new terminology was warranted, this directive assumes removal and replacement as the outcome and asks only how to accomplish it. At the same time, the Legislature directed that any “change in terminology [be] undertaken in a consistent and comprehensive manner that does not substantively alter existing law.”

COMMISSION DISCUSSION

During the August 17, 2026 meeting, the Commission discussed the public comments to replace the defined and undefined terms “dependent (adult/person)” with “(adult/person) with a disability” throughout the codes. There was discussion about the stakeholder feedback and whether “(adult/person) with a disability” would create an untenable situation for the individuals tasked with enforcing the laws, a circumstance that resulted in a recommendation from the Fish and Game Law study that was only partially enacted. The Commissioners also expressed concerns as to whether “adult/person with a disability” is pejorative. One Commissioner noted that a “dependent” person is not necessarily “disabled,” which could lead to confusion. Further, a Commissioner expressed the concern that there are substantive differences in the meaning of the terms and that using the term “disability” could import definitions from statutes that do not apply to persons who are dependent.⁹⁹

The Commission voted to direct staff to draft a Tentative Recommendation, for the purpose of soliciting additional public comment, that recommends no changes to the current terms because there was no consensus between the Working Group and other stakeholders on a replacement term and emphasized that this proposal is intended to generate further discussion from stakeholders.¹⁰⁰ Some Commissioners expressed the hope that in doing so, the Commission may receive alternative suggestions on how to replace the terms in a manner that does not raise the concerns raised by Commissioners and stakeholders.

⁹⁹ [Video](#) of Commission Meeting on August 17, 2026, 18:50.

¹⁰⁰ [Video](#) of Commission Meeting on August 17, 2026, 44:20.

COMMISSION RECOMMENDATION

The Commission preliminarily recommends no change to the phrases “dependent person” and “dependent adult.”

REQUEST FOR PUBLIC COMMENT

The purpose of this discussion draft is to solicit public comment on the Commission’s preliminary recommendation. To be considered, comments should be submitted by December 15, 2026. Any comments received will be part of the Commission’s public record and will be addressed at a public meeting.
