

SECOND SUPPLEMENT TO MEMORANDUM 2026-40

**Terminology Relating to Persons with Disabilities  
(Public Comment)**

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This supplement<sup>1</sup> presents a public comment received by the Commission related to Memorandum [2026-40](#).

| <i><b>Exhibit</b></i>                                                               | <i><b>Exhibit page</b></i> |
|-------------------------------------------------------------------------------------|----------------------------|
| <b>The Arc &amp; United Cerebral Palsy California Collaboration (10/28/26).....</b> | <b>1</b>                   |

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.

**PUBLIC COMMENT**

The Arc & United Cerebral Palsy California Collaboration were co-sponsors of

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<sup>1</sup> 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.

[AB 1906](#)<sup>2</sup> and the author of the letter, Mr. deGiere, participated in the study's working group. The letter adds to their prior comments<sup>3</sup> and is responsive to the Discussion Draft. The letter recommends replacing only those terms having known definitions with "persons [or adults] with disabilities as defined in Section [insert the relevant section of current law]" and omitting the "as defined in" phrase for terms without definitions.<sup>4</sup>

The letter further states:

Regarding the concern expressed at the last meeting that some people who meet the legal definitions of "dependent" persons or adults might dislike the term "disability" or prefer "dependent": While I certainly can't claim to speak for all 9 million Californians with disabilities, I can assure you that "disability" is widely accepted in the disability community. None of the work group members suggested keeping "dependent."

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Regarding the concern that some "dependent" persons may not see themselves as having disabilities: The disability community typically uses the term "disability" very freely. Rereading the five "dependent" definitions your staff identified in current law, all of them fall well within our community's common usage of "disability."

Regarding the concern that the phrase "as defined in" is unnecessary and awkward: For purposes of statutory interpretation in the courtrooms, yes, its probably unnecessary. But in common practice on the streets, police officers, social workers, service providers, people with disabilities ourselves, our families, and yes, even lawyers often simply look no further than the word "dependent" or think the term means one of the other definitions and miss the correct statutory meaning. The phrase "as defined in" will reduce that confusion about current law and avoid creating new confusion. And yes, drafting the many code amendments will be awkward, but worth it. Your staff is up to it.<sup>5</sup>

**Would the Commission like to incorporate these letters in the Discussion Draft?  
Does the Commission have any questions about these public comments?**

Respectfully submitted,

Sarah Huchel  
Chief Deputy Director

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<sup>2</sup> [2024 Cal. Stat. ch. 233](#) (AB 1906, Gipson).

<sup>3</sup> [First Supplement](#) to Memorandum 2026-40, EX 1; Memorandum [2026-40](#), EX 1.

<sup>4</sup> EX 1.

<sup>5</sup> EX 1-2.



October 28, 2026

Richard Simpson, Chair, and Commissioners  
California Law Revision Commission

Dear Mr. Simpson and Commissioners:

Having talked with the commission staff, looked again at the August commission meeting video, and critically reviewed my own October 5 and October 21 letters to you, I think I need to make some additional comments that I ask you to consider in this Friday's meeting.

First, I see that my October 21 letter doesn't fully cover the action that we hope the commission will take. We ask that you revise the Commission Recommendation section to read:

1. The Commission tentatively recommends replacing the terms "dependent persons *[or adults]*" with "persons *[or adults]* with disabilities as defined in Section *[insert the relevant section of current law]*," omitting the "as defined in" phrase for terms where there are no definitions in current statutes.
2. The Commission tentatively recommends codified language stating that the changes "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' and shall not be interpreted to substantively alter existing law."

Regarding the concern expressed at the last meeting that some people who meet the legal definitions of "dependent" persons or adults might dislike the term "disability" or prefer "dependent": While I certainly can't claim to speak for all 9 million Californians with disabilities, I can assure you that "disability" is widely accepted in the disability community. None of the work group members suggested keeping "dependent." And just in case anyone missed the footnote at the bottom of my October 5 letter listing the 20 disability and senior community and related groups that in 2019 formally asked for the removal of the "dependent" terms from the codes, here they are again.<sup>1</sup>

Regarding the concern that some "dependent" persons may not see themselves as having disabilities: The disability community typically uses the term "disability" very freely. Rereading the five "dependent" definitions your staff identified in current law, all of them fall well within our community's common usage of "disability."

**The Arc & United Cerebral Palsy California Collaboration**  
**455 Capital Mall, Suite 325, Sacramento, CA 95814**  
**Greg@TheArcCA.org 916-223-7319**

Regarding the concern that the phrase “as defined in” is unnecessary and awkward: For purposes of statutory interpretation in the courtrooms, yes, it’s probably unnecessary. But in common practice on the streets, police officers, social workers, service providers, people with disabilities ourselves, our families, and yes, even lawyers often simply look no further than the word “dependent” or think the term means one of the other definitions and miss the correct statutory meaning. The phrase “as defined in” will reduce that confusion about current law and avoid creating new confusion. And yes, drafting the many code amendments will be awkward, but worth it. Your staff is up to it.

Thanks for your attention.

Sincerely,

A handwritten signature in cursive script, appearing to read "Greg deGiere".

Greg deGiere  
Civil Rights Advocate  
The Arc of California

<sup>1</sup> 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.

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