
***APPROVED* MINUTES OF MEETING
CALIFORNIA LAW REVISION COMMISSION**

January 30, 2026

A meeting of the California Law Revision Commission was held in Sacramento and via teleconference on January 30, 2026.

ATTENDANCE

Commission

Present Richard Simpson, Chair
Victor King, Vice-Chair
Maria Bee
David A. Carrillo
Ana Cubas
Amb. (r.) David Huebner
Cara Jenkins, Legislative Counsel

Absent Senator Eloise Gómez Reyes
Assemblymember Blanca Pacheco

Commission Staff

Sharon Reilly, Executive Director
Sarah Huchel, Chief Deputy Director
Steve Cohen, Senior Staff Counsel
Christie House, Chief Administrative Officer
Megan Hayenga, Office Technician

Antitrust Expert

Cheryl Johnson, Consultant to the Commission

Other Attendees¹

Megan Abell	Angie Chua
Ryan Allain	Delilah Clay
Jess B	Jason Dell'Orto
Bianca Blomquist	Lara Dunbar
Robert Boykin	Eric Enson
Catherine Charles	Lucas Evensen
Vanessa Chavez	Braden Fairweather
Lusine Chinkezan	Daniela Fernandez-Ulen

¹ Members of the public are only identified in the Minutes as attendees if they expressly consented to being identified when registering to attend via teleconference, by completing the voluntary visitor register at an in-person meeting location, or by identifying themselves during public comment.

Gabriel	Erin Norwood
Gilbert Lara	Teri Olle
Ben Golombek	Justin Paddock
Devon Gray	Liza Paudel
Kristin Heidelberg	Ayeree Pipersburg
Lee Hepner	Kaitlyn Preston
Robert Herrell	Sophia Quach
Amy Hines-Shaikh	Yarissa Ramirez
Nikki Johnson	Wendy Reynolds
H. Kamran	AJ Rossitto
Stephanie Kimball	Bilal Sayyed
Ron Knox	Aniko Sherry
Dan Kostenbauder	Chris Shultz
Gilbert Lara	Ashonte Smith
Deanna LaTour-Jarquin	Carlia Suba
Peter Leroe-Muñoz	Jennifer Suh
Carl London	Doni Tadesse
Yarelle Magallon	Loyal Terry
Maite Martin	John Valencia
Mona Masri	Alexandra Wilts
Alisa Mastro	Jack Yanos

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APPROVAL OF ACTIONS TAKEN

Unless otherwise indicated, the Commission decisions noted in these Minutes were approved by all members present at the meeting. If a member who was present at the

meeting voted against a particular decision, abstained from voting, or was not present when the decision was made, that fact is noted below.

MINUTES

The Commission considered Memorandum [2026-1](#), presenting draft Minutes of the December 4, 2025, meeting. The Commission approved the Minutes without change.

(Commissioner King was not present when this decision was made.)

ADMINISTRATIVE MATTERS

Report of the Executive Director

The Executive Director reported on the following matters:

- Budget update
- Office space
- Website contract
- Hiring status

Commissioner Suggestions

There were no suggestions made by Commissioners.

New Proposed Topic for Resolution of Authority

The Commission considered Memorandum [2026-2](#), which proposed a new topic for the Commission's Biennial Resolution of Authority relating to writ practice. The Commission approved requesting the Legislature to add the new topic to the resolution.

(Commissioner King was not present when this decision was made.)

Meeting Schedule: Update

The Commission considered Memorandum [2026-3](#), which proposed changing the Commission's 2026 meeting schedule to either move the September 4, 2026 meeting to September 11, 2026, or delete the September meeting. The Commission voted to delete the September meeting.

(Commissioner King was not present when this decision was made.)

2026 Legislative Program

The Commission considered Memorandum [2026-4](#), presenting an update on the staff's efforts to secure authors for prior approved recommendations. No Commission decisions

were required or made.

2025-2026 Annual Report

The Commission considered Memorandum [2026-5](#), presenting a staff draft of the Commission's 2025-26 Annual Report and an appendix containing a staff draft of Commissioner biographies, and the [First Supplement](#) thereto, presenting a staff draft of a revised Commissioner biography.

The Commission approved the Annual Report and the revised appendix for publication and distribution to the Legislature and the Governor, once the staff finalizes and adds all other required appendices to the report.

(Commissioner King was not present when these decisions were made.)

Open Government Laws

The Commission considered Memorandum [2026-6](#), an annual memorandum updating the Commission on Open Government Law. No Commission decisions were required or made.

STUDY E-200 — RECODIFICATION OF TOXIC SUBSTANCE STATUTES

The Commission considered Memorandum [2026-7](#), presenting a cumulative draft of recodified provisions of Chapter 6.5 of Division 20 of the Health and Safety Code that have been provisionally approved for inclusion in a tentative recommendation in this study.

No Commission decisions were required or made.

STUDY B-750 — ANTITRUST LAW

The Commission considered Memorandum [2026-10](#), presenting the Staff Draft Final Recommendation, update to Commission-approved language, and public comment.

The Commission also considered the [First Supplement](#) thereto, presenting a proposed revision to the Staff Draft Final Recommendation and a summary of public comments, and the [Second Supplement](#) thereto, presenting additional public comment. The Commission voted to approve the change to Section 16731 in the First Supplement.

The Commission requested the staff to clarify language in proposed Section 16730 and the Commission approved the Staff Draft Final Recommendation.

The revised language approved by the Commission reads as follow:

SEC. ____. Section 16730 is added to the Business and Professions Code, to read:

(a) The purpose of this section and Sections 16731 and 16732 is the promotion

and protection of free and fair competition, which is fundamental to a healthy marketplace that protects all trade participants, including workers and consumers, and to an environment that is conducive to the preservation of our democratic, political, and social institutions.

- (b) Protecting competition includes protecting competition between businesses when they compete for workers by prohibiting anticompetitive business practices that impede workers' freedom to choose employment.
- (c) The California Supreme Court has determined that the Cartwright Act is "broader in range and deeper in reach" than the federal Sherman Act; courts shall liberally interpret California's antitrust laws to best promote free and fair competition and be mindful that California favors "maximizing effective deterrence of antitrust violations;" and that the Cartwright Act is not modeled on the Sherman Act. Further, California courts have recognized that the Cartwright Act departs from the Sherman Act in many respects, including, but not limited to, inclusion of indirect purchaser recovery, use of a proximate cause test for Cartwright Act standing, recognition of broader harms and per se conduct, lower actionable market shares, structured rule of reason analysis, and differing burdens of proof.
- (d) Federal case law on the subject of this article is not binding on California courts, but courts may consider federal case law as persuasive authority to the extent they find it consistent with California law, including ~~Section 16730~~ this section.

California agrees with the U.S. Department of Justice and Federal Trade Commission in recognizing that unilateral action and multiparty actions, horizontal and vertical relationships, and various forms of corporate entities can interfere with free and fair competition as reflected in the 2023 Federal Trade Commission and Department of Justice Merger Guidelines.

(Commissioner Jenkins was not present when this decision was made.)