

CONCURRENCE IN SENATE AMENDMENTS

AB 1521 (Committee on Judiciary)

As Amended September 02, 2025

Majority vote

SUMMARY

Makes numerous minor, technical, and non-controversial updates to the codes falling within the jurisdiction of the Committee on Judiciary.

Major Provisions

- 1) Corrects various cross references, removes obsolete references, corrects grammatical mistakes, and makes clarifying changes in the Code of Civil Procedure, Government Code, Corporations Code, and Welfare and Institutions Code.
- 2) Authorizes juvenile courts to hear petitions to establish a record of birth, death, or marriage.
- 3) Clarifies the Discovery Act by clarifying that a meet and confer may occur in person, by telephone, or by videoconference.
- 4) Requires the Department of Child Support Services to be provided notice of probate petitions.
- 5) Standardizes discovery timelines for unlawful detainer actions.
- 6) Clarifies that with respect to a residential property containing four or fewer dwelling units that is subject to a power of sale contained in a first lien deed of trust or mortgage, the mortgagee, beneficiary, or authorized agent is prohibited from selling the property at the first sale at which a bid can be made, rather than at the initially scheduled date of sale, for less than 67% of the fair market value of the property.
- 7) Clarifies that if the property in question in 6) remains unsold after the first sale at which a bid can be made, rather than after the initial trustee's sale, then the trustee must postpone the sale, as specified.
- 8) Exempts *trade credits, as defined, and* commercial financing transactions in which the recipient is a dealer as defined the specified provision of the Vehicle Code, or an affiliate of the dealer, pursuant to a specific commercial financing offer or commercial open-ended credit plan of at least fifty thousand dollars (\$50,000), including, but not limited to, a commercial loan made pursuant to that commercial financing transaction from the definition of covered commercial debt for the purposes of the Rosenthal Fair Debt Collection Practices Act.
- 9) Clarifies that the California Homeowners Bill of Rights does not apply to a person or entity that services seven or fewer loans encumbering residential real property located in California in a calendar year.
- 10) Removes an obsolete provision of the Government Code that were determined to be unconstitutional by *Publius v. Boyer-Vine* (2017) 237 F. Supp. 3d 997, 1021.

- 11) Repeals Government Code Section 7928.230 and recodifies it as Section 1798.84.1 in the Civil Code.
- 12) Repeals Government Code Section 7928.210 which is largely duplicative of Penal Code Section 146e, and recasts it as Penal Code Section 76.5.

Senate Amendments

Include chaptering amendments to account for a bill amending Civil Code Section 2016.040 that has been chaptered, and various other clarifying amendments.

COMMENTS

Every year various stakeholders identify numerous minor and technical issues within California's legal codes that need updating but do not merit a standalone bill. For the sake of efficiency this omnibus measure merges these technical, non-controversial changes into one bill.

This measure authorizes juvenile courts to hear petitions to establish a record of birth, death, or marriage. Existing law only authorizes probate courts to hear such petitions. However, these petitions can be relevant in a number of different types of matters, including matters relating to the juvenile court. In order to promote efficiency, this bill would grant juvenile courts the jurisdiction to receive and adjudicate petitions to establish a record of birth, death, or marriage of a minor or nonminor who is alleged or adjudged a dependent of the court.

This measure would require notice of probate petitions to be provided to the California Department of Child Support Services (DCSS). A probate petition refers to the formal court adjudication of someone's estate when they pass away, and results in the distribution of property identified in the estate. When a probate petition is filed, existing law only requires notice to be provided to three public entities – the Department of Health Care Services, the California Victim Compensation Board, and the Franchise Tax Board. DCSS is tasked with enforcement of child support orders in the state, including past-due child support but despite their interest in the disposition of estates which may in part include past due child support payments, DCSS does not receive notice of probate petitions. This measure would require probate petitions to provide notice to DCSS.

This measure would align timelines for discovery with changes made to the law relating to unlawful detainers in AB 2347 (Kalra, 2024). Last year the Legislature approved and the Governor signed AB 2347 (Kalra, Chapter 512, Statutes of 2024) which extended the amount of time a defendant had to reply in an unlawful detainer case from five to 10 days. However, the relevant timelines for discovery, including requests for interrogatories, production of documents, and request for admission, were not updated. Therefore as the law currently stands, while a defendant has more time to reply to an unlawful detainer, they only have five days to initiate their discovery requests. In order to fully effectuate the intent of AB 2347 – namely to ensure tenants are fully able to exercise their rights and avoid unnecessary default evictions – similarly extending the timelines for discovery seems appropriate. This measure would extend the timelines for discovery for unlawful detainer cases found at Code of Civil Procedure Sections 2030.020(c), 2031.020(c), and 2033.020(c) from five to 10 days.

This measure exempts certain commercial financing transactions relating to dealers as defined by Section 285 of the Vehicle Code from the Rosenthal Fair Debt Collection Practices Act. The Rosenthal Fair Debt Collection Practices Act prohibits creditors from engaging in deceptive,

harassing, humiliating, threatening or otherwise unreasonable conduct while seeking payment for consumer debt. In 2024, the Legislature approved and the Governor signed SB 1286 (Min, Chap. 522, Stats. 2024) which extended the Rosenthal Act's protections to cover individuals who owe certain types of commercial debt. At the time of its enactment, the bill defined "covered commercial debt" as a debt arising from a transaction of \$500,000 or less for use primarily other than personal, family, or household purposes. At the time of its enactment, the bill only exempted those three categories. This bill would modestly expand the exemption to include a commercial financing transaction with a dealer as defined by Section 285 of the Vehicle Code, or an affiliate of the dealer, pursuant to a specific commercial financing offer or commercial open-end credit plan of at least \$50,000, including a commercial loan made pursuant to that commercial financing transaction. This exemption is consistent with the approach the Legislature has taken with similar measures, including SB 666 (Min, Chapter 881, Statutes of 2023) and SB 1235 (Glazer, Chapter 1011, Statutes of 2018).

This measure clarifies an exemption from the Homeowners Bill of Rights as it applies to loan servicers that service seven or fewer loans in California in a calendar year. Last year, the Legislature approved and the Governor signed SB 1146 (Wilk, Chapter 601, Statutes of 2024) which sought to clarify and streamline certain provisions relating to obligations on small lenders and servicers imposed by the Homeowners Bill of Rights (HOBOR). The ultimate goal of SB 1146 was to clarify that some of the more burdensome obligations of the HOBOR did not apply to smaller lenders and servicers. As enacted, the bill exempted "a person or entity that makes and services seven or fewer loans for the purchase of residential property in a calendar year." (Civil Code Section 2924.18(b)(2).) However, the sponsors of the measure meant to capture a slightly broader scope – loan servicers that *service* seven or fewer loans in California in a calendar year. This modest change slightly widens the exemption from only those loan providers that make the initial loan and continue to service it specifically for the purchase of property to be applicable to those who service seven or fewer loans, regardless of whether they first made the loan. This amendment appears to keep with the intent of the initial legislation – namely to exempt small loan servicers and those that service seven or fewer loans (regardless of whether they first made the loan).

This bill makes other various technical and clarifying amendments to the Code of Civil Procedure, Corporations Code, and Government Codes.

According to the Author

This broad measure makes modest updates to several policies falling within the Committee on the Judiciary that are insufficiently substantive to warrant a standalone bill. This bill authorizes juvenile courts to hear petitions to establish a record of birth, death, or marriage, requires notice of probate petitions be given to the California Department of Child Support Services, and several other minor clean-up amendments to existing law.

Arguments in Support

None on file

Arguments in Opposition

None on file

FISCAL COMMENTS

The Senate Appropriations Committee writes regarding the fiscal impact:

- 1) Possible revenue loss of an unknown amount to the courts, since this bill requires a court to waive the filing fee for certain petitions filed in juvenile court. Under existing law, the petitions may be filed only in probate court and are subject to a filing fee of \$205 per petition. Actual revenue loss will depend on the number of petitions filed in juvenile court rather than probate court.
- 2) Unknown, potential workload cost pressures to the California Department of Child Support Services (DCSS) to create a new process for receiving probate notices, and to change its related policies and procedures. DCSS anticipates this workload will be absorbable within its existing resources but indicates the implementation date for the probate provision is not feasible for the department.
- 3) Possible costs to local child support agencies (LCSAs) (General Fund, local funds, federal funds) of an unknown amount for increased workload resulting from probate petitions. DCSS provides guidance and support to LCSAs, which enforce payment of child support orders. LCSAs may see an increase in probate actions to process resulting from the bill.

VOTES:

ASM JUDICIARY: 9-0-3

YES: Kalra, Bauer-Kahan, Bryan, Connolly, Harabedian, Pacheco, Lee, Stefani, Zbur

ABS, ABST OR NV: Dixon, Macedo, Sanchez

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache

ABS, ABST OR NV: Sanchez, Dixon, Ta, Tangipa

ASSEMBLY FLOOR: 63-0-16

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, DeMaio, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Bains, Bennett, Castillo, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa

UPDATED

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CONSULTANT: Manuela Boucher / JUD. / (916) 319-2334

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