
CONSENT

Bill No: AB 1828
Author: Chen (R)
Amended: 6/29/26 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 11-0, 6/16/26

AYES: Umberg, Niello, Allen, Caballero, Durazo, Laird, Reyes, Stern,
Valladares, Wahab, Wiener

NO VOTE RECORDED: Ashby, Weber Pierson

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 73-0, 5/4/26 (Consent) - See last page for vote

SUBJECT: County recorder: county clerks: bonds

SOURCE: California Association of Clerks and Elections Officials

DIGEST: This bill, on January 1, 2028: (1) removes the requirement that the county clerk deliver the required bond for registration as a legal document assistant, unlawful detainer assistant, process server, professional photocopier, and notary public to the county recorder for recording; (2) requires a county clerk to retain the bond for at least six years from its filing; (3) requires a county clerk to provide a registrant a copy of the filed bond; (4) requires a county clerk to retain the official bond and the oath of office for a notary public for at least ten years from its filing; and (5) makes changes to the filing fee that a county clerk may charge a registrant for these services.

ANALYSIS:

Existing law:

- 1) Prescribes various registration, business practices, client disclosures, and education requirements for legal document assistants (LDAs) and unlawful

detainer assistants (UDAs). (Business (Bus.) & Professions (Prof.) Code §§ 6400 et seq.)

- 2) Defines an LDA as a person, corporation, partnership, association, or other entity that employs or contracts with any person, unless otherwise exempt, who provides or assists in providing, for compensation, any self-help service to another person who is self-represented in a legal matter. Prohibits LDAs from providing any kind of advice, explanation, opinion, or recommendation to a client about possible legal rights, remedies, defenses, options, selection of forms, or strategies. (Bus. & Prof. Code §§ 6400(c), (g).)
- 3) Defines a UDA as an individual who, for compensation, renders assistance or advice in the prosecution or defense of an unlawful detainer claim or action. (Bus. & Prof. Code § 6400 (a).)
- 4) Requires UDAs and LDAs to be registered with the county clerk in the county in which their principal place of business is located and in any county in which they maintain a branch office. (Bus. & Prof. Code § 6402.)
- 5) Requires an application for a certificate of registration for an individual LDA or UDA to be accompanied by a bond for \$25,000, and for corporations of multiple legal document assistants to file a bond ranging between \$25,000 and \$100,000, depending on the size of the firm, which is to be submitted to the county clerk. (Bus. & Prof. Code § 6405 (a).)
- 6) Requires the county clerk, upon receipt of the bond filed pursuant to 5), above, to then deliver the bond to the county recorder for recording, and requires a county recorder, upon receiving the bond, to record the bond and any notice of cancellation, revocation, or withdrawal of the bond, and thereafter mail the instrument, unless specified to the contrary, to the person named in the instrument and, if no person is named, to the party leaving it for recording. (Bus. & Prof. Code § 6405 (d).)
- 7) Prescribes registration and registration renewal requirements for process servers and professional photocopiers. (Bus. & Prof. Code §§ 22355, 22457.)
- 8) Defines a process server as any natural person that makes, for compensation or expectation of compensation, more than 10 services of process in California during a calendar year, and any corporation that derives compensation from service of process within California. (Bus. & Prof. Code § 22350.)

- 9) Defines a professional photocopier to mean any person who, for compensation, obtains or reproduces documents authorized to be produced under various statutes, and who has access to the information contained in these documents while engaged in performing that activity. (Bus. & Prof. Code § 22450.)
- 10) Requires a certificate of registration for a process server to be filed with a county clerk and accompanied by a bond of \$2,000. Requires the county clerk, upon receipt of the bond, to deliver the bond to the county recorder for recording. (Bus. & Prof. Code § 22353.)
- 11) Requires a county recorder, upon receiving a bond in accordance with 10), above, to record the bond and any notice of cancellation, revocation, or withdrawal of the bond, and thereafter mail the instrument, unless specified to the contrary, to the person named in the instrument and, if no person is named, to the party leaving it for recording. (Bus. & Prof. Code § 22353 (d).)
- 12) Requires a certificate of registration for a professional photocopier to be filed with a county clerk and accompanied by a bond of \$5,000. Requires the county clerk, upon receipt of the bond, to then deliver the bond to the county recorder for recording. (Business and Professions Code Section 22455 (a)(1).)
- 13) Requires a county recorder, upon receiving a bond in accordance with 12), above, to record the bond and any notice of cancellation, revocation, or withdrawal of the bond, and thereafter mail the instrument, unless specified to the contrary, to the person named in the instrument and, if no person is named, to the party leaving it for recording. (Bus. & Prof. Code § 22353 (a)(3).)
- 14) Requires, no later than 30 days after the beginning of the term prescribed in the commission to become a notary, every person appointed a notary public to file an official bond and an oath of office in the office of the county clerk of the county within which the person maintains a principal place of business as shown in the application submitted to the Secretary of State. Requires a county clerk to transmit any bond received to the county recorder for recordation. (Government (Gov.) Code § 8213 (a).)
- 15) Authorizes a county board of supervisors to increase or decrease a fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is

levied. Permits, if an individual challenges the reasonableness of the fee, the board of supervisors to direct a study be conducted regarding the reasonableness of the fee. (Gov. Code § 54985.)

- 16) Requires an admitted surety insurer be accepted or approved by the court or officer as a surety on a bond if the bond is executed in the name of the surety insurer under penalty of perjury, or the fact of execution of the bond is duly acknowledged before an officer authorized to take and certify acknowledgements, and either one of the following conditions is met:
 - a) a copy of the transcript or record of the unrevoked appointment, power of attorney, bylaws, or other instrument, duly certified by the proper authority, as specified, is filed in the office of the county clerk; or
 - b) a copy of a power of attorney is attached to the bond. (Code of Civil Procedure § 995.630.)
- 17) Provides a three-year statute of limitations for an action against a notary public on the notary public's bond or in the notary public's official capacity except that a cause of action based on malfeasance or misfeasance is not deemed to have accrued until discovery, by the aggrieved party or their agent, but shall be commenced within one year of discovery, and provides a statute of limitations against a notary public on their bond or in their official capacity of six years. (Code of Civil Procedure § 338(f).)

This bill:

- 1) For LDAs, UDAs, process servers, professional photocopiers, and notaries public:
 - a) Removes the requirements that a county clerk, upon filing the bond, deliver the bond forthwith to the county recorder for recording, and removes the requirement that the bond be recorded. Also removes the requirement that a registrant of the aforementioned professional services pay a recording fee.
 - b) Eliminates the seven-dollar fee for filing, canceling, revoking, or withdrawing these bonds, and instead specifies that the amount of the fee shall be determined by Government Code section 54985.
 - c) Requires the county clerk to retain the bond for a minimum of six years from the filing date of the bond.

- d) Requires the county clerk to provide the registrant one certified copy of the bond on file to serve as proof of compliance with the bonding requirements, and requires that the county clerk provide this copy within a reasonable period following filing, either by mail or by another accessible method established by the county clerk.
- 2) Requires, for LDAs, UDAs, process servers, and professional photocopiers, the county clerk to file with the bond any notice of cancellation, revocation, or withdrawal of the bond.
- 3) Requires that the required bond be executed in accordance with Code of Civil Procedure section 995.630.
- 4) Requires the county clerk to retain a notary public's oath of office for ten years, and requires the county clerk to retain the official bond for a notary public for ten years from the date of filing.
- 5) Makes its changes operative on January 1, 2028.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 7/30/26)

California Association of Clerks and Election Officials (source)

California Association of Legal Document Assistants

California League of Independent Notaries

OPPOSITION: (Verified 7/30/26)

None received

ARGUMENTS IN SUPPORT:

According to the California Association of Clerks and Election Officials, which is the source of AB 1828:

This measure reflects a commonsense update to existing law by authorizing county clerks—who already administer these registration programs—to file and retain the associated bonds, rather than requiring duplicative recording by the county recorder. Consolidating these responsibilities within the clerk's office improves administrative efficiency, reduces unnecessary steps for applicants, and ensures more consistent record management at the local level.

Additionally, allowing counties to set fees at a level necessary to recover actual program costs provides flexibility to maintain effective and sustainable services. The existing statutory fee no longer reflects the true cost of processing, maintaining, and retaining these records. This bill appropriately aligns fee authority with long-standing county cost-recovery principles.

Finally, the requirement that county clerks retain bonds promotes accountability and ensures that records remain accessible for enforcement, verification, and public protection purposes.

By eliminating outdated requirements and aligning responsibilities with the appropriate local office, AB 1828 enhances efficiency, supports local administration, and improves service delivery to the public.

ASSEMBLY FLOOR: 73-0, 5/4/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Ward, Wicks, Zbur, Rivas

NO VOTE RECORDED: Arambula, Bennett, Caloza, Chen, Flora, Wallis, Wilson

Prepared by: Ian Dougherty / JUD. / (916) 651-4113
7/31/26 10:18:55

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