

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
ACR 168 (Pacheco) – As Introduced March 26, 2026

PROPOSED CONSENT

SUBJECT: CALIFORNIA LAW REVISION COMMISSION: STUDIES

KEY ISSUE: SHOULD THE CALIFORNIA LAW REVISION COMMISSION ONGOING WORK STUDYING 14 DIFFERENT AREAS OF THE LAW BE REAUTHORIZED AND SHOULD THE COMMISSION BE TASKED WITH TWO NEW AREAS OF STUDY?

SYNOPSIS

The California Law Revision Commission (CLRC) was created in 1953 and tasked with the responsibility for an ongoing substantive review of California statutory and decisional law. The CLRC studies the law in order to discover defects and make related recommendations to the Legislature for needed reforms. Once the CLRC identifies a topic for study, it cannot begin to work on the topic until the Legislature, by concurrent resolution, authorizes the CLRC to conduct the study, as it does once every two-year session. This non-controversial resolution is the regular resolution to authorize the CLRC's topics of study. Like prior such resolutions, it reauthorizes the CLRC to study a number of the topics that the Legislature has previously authorized it to study, a total of 14 subjects. This resolution also tasks the CLRC with studying two new areas of the law. First the CLRC is tasked with examining the Education Code and the many reporting requirements that Code imposes on local education agencies. Secondly, the bill authorizes a new study on writs found within the Code of Civil Procedure. There is no registered support for, or opposition to, this resolution.

SUMMARY: Authorizes the California Law Revision Commission (CLRC) to continue its study of 14 topics specified by the Legislature and adds two new additional areas of law for the CLRC to review. Specifically, **this measure:**

- 1) Makes the following findings:
 - a) That the CLRC is authorized to study topics set forth in the calendar contained in its report to the Governor and the Legislature that have been or are thereafter approved for study by concurrent resolution of the Legislature, and topics that have been referred to the Commission for study by concurrent resolution of the Legislature or by statute; and
 - b) That the CLRC, in its annual report covering its activities for 2025 and 2026, recommends continued study of 14 topics, all of which the Legislature has previously authorized or directed the CLRC to study, and the addition of two new topics of study.
- 2) Resolves that the Legislature approves for continued study by the CLRC the topics listed below, all of which the Legislature has previously authorized or directed the Commission to study, and the addition of two new topics of study:

- a) Whether the law should be revised that relates to creditors' remedies, including, but not limited to, attachment, garnishment, execution, repossession of property (including the claim and delivery statute, self-help repossession of property, and the Commercial Code provisions on repossession of property), confession of judgment procedures, default judgment procedures, enforcement of judgments, the right of redemption, procedures under private power of sale in a trust deed or mortgage, possessory and nonpossessory liens, insolvency, and related matters.
- b) Whether the California Probate Code should be revised, including, but not limited to, the issue of whether California should adopt, in whole or in part, the Uniform Probate Code, and related matters.
- c) Whether the law should be revised that relates to real and personal property, including, but not limited to, a marketable title act, covenants, servitudes, conditions, and restrictions on land use or relating to land, common interest developments, powers of termination, escheat of property and the disposition of unclaimed or abandoned property, eminent domain, quiet title actions, abandonment or vacation of public streets and highways, partition, rights and duties attendant on assignment, subletting, termination, or abandonment of a lease, and related matters.
- d) Whether the law should be revised that relates to family law, including, but not limited to, community property, the adjudication of child and family civil proceedings, child custody, adoption, guardianship, freedom from parental custody and control, and related matters, including other subjects covered by the Family Code.
- e) Whether the law relating to discovery in civil cases should be revised.
- f) Whether the Evidence Code should be revised.
- g) Whether the law relating to arbitration, mediation, and other alternative dispute resolution techniques should be revised.
- h) Whether there should be changes to administrative law.
- i) Recommendations to be reported pertaining to statutory changes that may be necessitated by court unification.
- j) Whether the law of contracts should be revised, including the law relating to the effect of electronic communications on the law governing contract formation, the statute of frauds, the parol evidence rule, and related matters.
- k) Whether the law governing the place of trial in a civil case should be revised.
- l) 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.

- m) Whether to study, report on, and prepare recommended legislation to revise Chapter 6.5 (commencing with Section 25100) and Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code, and related provisions, to improve the organization and expression of the law.
 - n) Whether the law should be revised to provide special rules that would apply to an area affected by a state of disaster or emergency declared by the federal government, a state of emergency proclaimed by the Governor under Government Code Section 8625, or a local emergency proclaimed by a local governing body or official under Government Code Section 8630. Requires that the CLRC, before beginning a study under this authority, to provide notice to legislative leadership and any legislative policy committee with jurisdiction over the proposed study topic and to consider any formal or informal feedback received in response to that notice.
 - o) Whether the Education Code should be revised including, but not limited to, provisions relating to reporting requirements placed on local education agencies.
 - p) Whether the Code of Civil Procedure should be revised, including, but not limited to, whether the statutes governing writ procedures should be revised.
- 3) Resolves that before commencing work on any project within the calendar of topics the Legislature has authorized or directed the CLRC to study, the CLRC shall submit a detailed description of the scope of work to the chairs and vice chairs of the Assembly Committee on Judiciary and the Senate Committee on Judiciary, and any other policy committee that has jurisdiction over the subject matter of the study, and if during the course of the project there is a major change to the scope of work, submit a description of the change.

EXISTING LAW:

- 1) Authorizes the CLRC to study topics approved by concurrent resolution of the Legislature. (Government Code Section 8293.)
- 2) Prohibits an employee or member of the CLRC, with respect to any proposed legislation concerning matters assigned to the CLRC for study, to advocate for the passage or defeat of the legislation by the Legislature or the approval or veto of the legislation by the Governor or appear before any Committee of the Legislature, unless requested to do so by the Committee or its chairperson. (Government Code Section 8288.)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: The California Law Revision Commission (CLRC) was created in 1953 and tasked with the responsibility of reviewing California statutory and decisional law. The CLRC studies the law in order to discover defects and make related recommendations to the Legislature for needed reforms. The CLRC's enabling statute recognizes two types of topics the CLRC is authorized to study: (1) those that the CLRC identifies for study and lists in the Calendar of Topics that it reports to the Legislature; and (2) those that the Legislature assigns to the CLRC directly, by statute or concurrent resolution. Once the CLRC identifies a topic for study, it cannot begin to work on the topic until the Legislature, by concurrent resolution, authorizes the CLRC to conduct the study. Direct legislative assignments have become much more common in recent

years, and many of the CLRC's recent studies were directly assigned by the Legislature. In support of this resolution the author states:

Since 1953, the California Law Revision Commission has reviewed California law and made recommendations on areas in need of reform. To continue this work, the Legislature must reauthorize the Commission's jurisdiction in a concurrent resolution at least once every two-year legislative session. ACR 168 provides that reauthorization.

In addition to reauthorizing previously approved study topics, ACR 168 authorizes two new topics for review — (1) whether the Education Code should be revised, including, but not limited to, provisions related to reporting requirements placed on local education agencies (LEAs), and (2) whether the Code of Civil Procedure should be revised, including, but not limited to, the statutes governing writ procedures.

The Commission's request for additional authority relating to LEAs was prompted by a suggestion from the California Association of School Business Officials (CASBO) to study the numerous reporting requirements required of LEAs. The request for additional authority relating to civil procedure was prompted by a suggestion from Justice Daniel H. Bromberg of the Sixth District Court of Appeal to study potential improvements to writ practices.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicholas Liedtke / JUD. / (916) 319-2334