

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

ACR 168 (Pacheco)
Version: March 26, 2026
Hearing Date: June 16, 2026
Fiscal: Yes
Urgency: No
ME

SUBJECT

California Law Revision Commission: studies

DIGEST

This measure, requested by the California Law Revision Commission (CLRC), grants approval to the CLRC to continue its study of 14 designated topics that the Legislature previously authorized or directed the CLRC to study. Additionally, the resolution grants approval to the CLRC to study two additional topics.

EXECUTIVE SUMMARY

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. The CLRC is governed by Government Code Section 8293 which sets out the broad list of topics it is authorized to study. This authorization must be renewed in a concurrent resolution at least once per two-year legislative session. The most recent reauthorizations were through ACR 169 (Kalra, Res. Ch. 138, Stats. 2024) and ACR 24 (Chau, Res. Ch. 108, Stats. 2021).

This author-sponsored measure continues the authorization of the CLRC's studies on 14 topics and adds two additional topics for the CLRC to study. The new topics are: whether the Education Code should be revised including, but not limited to, provisions relating to reporting requirements placed on local education agencies; and whether the Code of Civil Procedure should be revised, including but not limited to, whether the statutes governing writ procedures should be revised. The Committee received no timely support or opposition to this measure.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Authorizes the CLRC to study topics approved by concurrent resolution of the Legislature. (Gov. Code Sec. 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. (Gov. Code Sec. 8288.)

This bill:

- 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:
 - 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 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, or a local emergency proclaimed by a local governing body or official.
 - n) Whether the Education Code should be revised, including, but not limited to, provisions relating to reporting requirements placed on local education agencies.
 - o) Whether the Code of Civil Procedure should be revised, including, but not limited to, whether the statutes governing writ procedures should be revised.
- 3) Specifies that the Legislature authorizes and requests the CLRC study, report on, and prepare recommended legislation to revise Chapter 6.5 and 6.8 of Division 20 of the Health and Safety Code, and related provisions, to improve the organization and expression of the law and that such revisions may include, but are not limited to, grouping similar provisions together, reducing the length and complexity of sections, eliminating obsolete or redundant provisions, and correcting technical errors, while ensuring that recommended revisions do not make any substantive changes to the law. The CLRC's report shall also include a list of substantive issues that the CLRC identifies in the course of its work, for possible future study.

- 4) 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.

COMMENTS

1. Stated need for the measure

According to the author:

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.

2. Authorizes new topics for the CLRC to study in the Education Code and the Code of Civil Procedure

In addition to authorizing the study of 14 topics that have previously been authorized by the Legislature, this resolution authorizes the CLRC to study two additional topics. The CLRC would be authorized to study whether the Education Code should be revised, including, but not limited to, provisions relating to reporting requirements placed on local education agencies. The CLRC would also be authorized to study whether the Code of Civil Procedure should be revised, including, but not limited to, whether the statutes governing writ procedures should be revised.

According to the author, "[t]he 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."

The Association of California School Administrators, California Association of School Business Officials, and California School Boards Association write the following in support of the Resolution:

We hold that accountability and transparency are undeniably vital to our public education system. However, we've found that the sheer number of required reports reduces transparency by obscuring potentially useful data under a mountain of redundant and difficult-to-decipher reports. In addition, the reporting requirements can detract from the actual work of supporting students by limiting the time and resources available to spend on meeting local needs, ultimately undermining staff's ability to provide safe, healthy, and productive environments for students. The cost, both in terms of time and dollars, is significant. A recent Getting Down to Facts III technical report estimated that administrators spend an average of approximately 20 hours per week, or \$2.73 to \$3.56 billion annually, on compliance activities.

Collectively, we have supported numerous efforts to address this problem, including Senate Bill 1315 (Archuleta) and Senate Bill 374 (Archuleta), and supporting research that seeks to quantify the time spent on compliance activities and the associated cost of that time. A study by the Commission would provide a neutral analysis of an increasingly complex issue, providing both policy makers and educational partners with the crucial information needed to consider streamlining reporting requirements, including by identifying areas to eliminate, truncate, or consolidate obsolete or duplicative requirements, so that LEAs can better focus on supporting their students.

SUPPORT

Association of California School Administrators
California Association of School Business Officials
California School Boards Association

OPPOSITION

None known

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

AB 2125 (Garcia, 2024) would have added a topic for the CLRC to study. Specifically, the bill would have required that on or before September 30, 2027, the CLRC shall

deliver to the Legislature a study regarding recusal of judicial officers for prejudice and conflict of interest. The bill died in the Senate Appropriations Committee.

AB 1906 (Gipson, Ch. 233, Stats. 2024) required the CLRC, with input from stakeholders, to complete and submit to the Legislature a study on how to remove the terms “dependent adult” and “dependent person” from existing code sections, including those that use the term “dependent” in conjunction with the term “elder,” as specified.

ACR 24 (Chau, Res. Ch. 108, Stats. 2021) authorized the CLRC to continue its study of 13 topics and added an additional topic of study regarding states of disaster or emergencies.

ACR 173 (Gallagher, Res. Ch. 26, Stats. 2020) authorized the CLRC to continue its study of 13 topics.

SCR 91 (Roth, Res. Ch. 158, Stats. 2018) granted approval to the CLRC to continue its study of designated topics that the Legislature previously authorized or directed the CLRC to study; authorized and requested the CLRC to study and report on topics relating to hazardous waste control and hazardous substances; provided that before commencing work on any project within the list of topics authorized for study by the Legislature, the CLRC shall submit a detailed description of the scope of work to the Senate and Assembly Committees on Judiciary and any legislative policy committee with jurisdiction over the study’s subject matter; and expressly allowed the CLRC to provide copies of its recommendations to members of a legislative policy committee and invited CLRC staff to hearings for the purpose of explaining recommendations and answering questions from committee members.

ACR 148 (Chau, Res. Ch. 150, Stats. 2016) authorized the CLRC to continue its studies on whether specified laws should be revised; authorized an additional study of the California Public Records Act; provided that before commencing work on any project within the list of topics authorized for study by the Legislature, the CLRC shall submit a detailed description of the scope of work to the Senate and Assembly Committees on Judiciary and any legislative policy committee with jurisdiction over the study’s subject matter; and expressly allowed the CLRC to provide copies of its recommendations to members of a legislative policy committee and invite CLRC staff to hearings for the purpose of explaining recommendations and answering questions from committee members.

SCR 54 (Padilla, Res. Ch. 115, Stats. 2013) authorized the CLRC to report on and prepare recommended legislation concerning statutes governing access by state and local government agencies to customer information from communications service providers.

AB 567 (Wagner, Res. Ch. 15, Stats. 2013) repealed the requirement that the CLRC make the decennial recommendations, and retained the CLRC's general authority to study, review, and make recommendations regarding the enforcement of judgments law.

ACR 125 (Papan, Res. Ch. 167, Stats. 2002) authorized the CLRC to study, report on, and prepare recommended legislation concerning the issue of financial privacy to address the protection and control of a consumer's personal information and provide both administrative and civil penalties.

The following is a list of the prior annual authorizing resolutions for the CLRC:

SCR 83 (Monning, Res. Ch. 63, Stats. 2014)

ACR 98 (Wagner, Res. Ch. 108, Stats. 2012)

ACR 49 (Evans, Res. Ch. 98, Stats. 2009)

ACR 35 (Evans, Res. Ch. 100, Stats. 2007)

SCR 15 (Morrow, Res. Ch. 1, Stats. 2006)

SCR 42 (Campbell, Res. Ch. 122, Stats. 2005)

SCR 4 (Morrow, Res. Ch. 92, Stats. 2003)

ACR 123 (Wayne, Res. Ch. 166, Stats. 2002)

SCR 13 (Morrow, Res. Ch. 78, Stats. 2001)

ACR 17 (Wayne, Res. Ch. 81, Stats. 1999)

SCR 65 (Kopp, Res. Ch. 91, Stats. 1998)

SCR 3 (Kopp, Res. Ch. 102, Stats. 1997)

SCR 43 (Kopp, Res. Ch. 38, Stats. 1996)

PRIOR VOTES:

Assembly Floor (Ayes 73, Noes 0)
Assembly Appropriations Committee (Ayes 14, Noes 0)
Assembly Judiciary Committee (Ayes 12, Noes 0)
