

CONSENT

Bill No: ACR 168
Author: Pacheco (D), et al.
Introduced: 3/26/26
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: California Law Revision Commission: studies

SOURCE: California Law Revision Commission

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.

ANALYSIS:

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

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, Resolution Chapter 138, Statutes of 2024) and ACR 24 (Chau, Resolution Chapter 108, Statutes of 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.

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

SUPPORT: (Verified 7/1/26)

California Law Revision Commission (source)
Association of California School Administrators
California Association of School Business Officials
California School Boards Association

OPPOSITION: (Verified 7/1/26)

None received

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: Margie Estrada / JUD. / (916) 651-4113
7/1/26 16:55:25

**** **END** ****