

MEMORANDUM 2025-10

**Terminology Relating to Persons with Disabilities
(Introduction of Study)**

In 2024, the Legislature added Section 8290.7 to the Government Code, assigning to the Commission¹ a new study:

8290.7. (a) The Legislature finds and declares all of the following:

(1) The terms “dependent adult” and “dependent person” are misleading because many of the people with disabilities that those terms cover live independently. These terms can mislead law enforcement officers, social workers, and even crime victims and their families to think that many people with disabilities are excluded from the law’s protections.

(2) The term “dependent” demeans and insults people with disabilities who may need special support and services, but may also have the desire and ability to live independently.

(3) It is a priority of this state to ensure that the language used to draft California laws, including the drafting guidelines for legislation, appropriately recognizes and represents people with disabilities.

(b) It is the intent of the Legislature in enacting this act that the terms “dependent adult” and “dependent person” be replaced in code with updated terminology that describes these adults in a respectful way; and that the change in terminology is undertaken in a consistent and comprehensive manner that does not substantively alter existing law.

(c) (1) The commission shall, with input from stakeholders, including, but not limited to, the state protection and advocacy agency designated pursuant to Division 4.7 (commencing with Section 4900) of the Welfare and Institutions Code, complete and submit to the Legislature a study on how to remove the terms “dependent adult” and “dependent person” from California code sections, including, but not limited to, code sections that use the term “dependent” in conjunction with the term “elder” to describe the physical or financial abuse of persons who are elders or persons with a disability, including, but not limited to, the Penal Code, Welfare and Institutions Code, and Civil Code.

(2) As part of the study, the commission shall convene a working group that includes, but is not limited to, all of the following:

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission’s staff.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

- (A) The state protection and advocacy agency.
 - (B) The State Department of Social Services.
 - (C) Groups representing persons who are described by the current definitions of “dependent adults” and “dependent persons.”
 - (D) Persons who are described by the current definitions of “dependent adults” or “dependent persons.”
- (3) The study shall identify all existing California code sections regarding persons who meet the definition of “dependent adult” and “dependent person” that should be amended in accordance with this subdivision.
- (4) The study shall include recommendations on how to revise existing California code sections in order to remove “dependent adult” and “dependent person” and replace those terms with new terminology in a manner that would describe these adults in a respectful way and that would preserve the legal rights and protections of both of the following groups of persons in a comprehensive and consistent manner:
- (A) Persons who meet the definition of “dependent adult” and “dependent person” as currently recognized in statute, regulation, and case law.
 - (B) Persons who do not meet the definition of “dependent adult” and “dependent person” but are described in conjunction with such persons, including elders who are protected by laws governing “elder and dependent adult abuse.”
- (d) (1) The requirement for submitting the study imposed under subdivision (c) is inoperative on January 1, 2029, pursuant to Section 10231.5 of the Government Code.
- (2) The study to be submitted pursuant to subdivision (c) shall be submitted in compliance with Section 9795 of the Government Code.²

This memorandum introduces this new study, discussing its scope and generally proposing how the study should commence.

Except as otherwise indicated, all statutory references in this memorandum are to the Government Code.

SCOPE OF STUDY

As a general rule, the first step in a new study is to ensure a collective understanding among the Commissioners and staff as to the scope and goals of the study.

Aside from the practical value of establishing clear boundaries and objectives of a study at its commencement, this first step also has legal significance. By law, the Commission is only authorized to study:

2. [2024 Cal. Stat. ch. 233](#) (AB 1906).

(1) Topics set forth in the Commission’s latest proposed calendar of study that have been or are thereafter approved for study by concurrent resolution of the Legislature.³

(2) Statutory revision to correct technical or minor substantive defects in the statutes of the state.⁴

(3) Topics that the Legislature, by concurrent resolution or statute, refers to the Commission for study.⁵

Since the subject matter of Section 8290.7 is not encompassed by either of the first two categories, the Commission’s work on this study is therefore limited to what is directed or authorized by Section 8290.7.

The staff reads that code section, once its text is harmonized, as directing the Commission to prepare and submit to the Legislature a study that accomplishes both of the following:

- (1) Identifies and recommends revision of all existing California code sections that contain references to the following terms:
 - (a) “Dependent adult.”
 - (b) “Dependent person.”
 - (c) “Dependent,” when used in conjunction with the term “elder” to describe the physical or financial abuse of persons who are elders or persons with a disability.⁶
- (2) Recommends removal and replacement of those references with new terminology that describes the persons referenced in a respectful manner, and preserves in a comprehensive and consistent manner the legal rights and protections of the following persons:
 - (a) Those who meet the definition of “dependent adult” and “dependent person” as currently recognized in statute, regulation, and case law.
 - (b) Those who do not meet the definition of “dependent adult” and “dependent person” but are described in conjunction with such persons, including elders who are protected by laws governing “elder and dependent adult abuse.”⁷

3. Gov’t Code § [8293\(a\)](#). For the Commission’s latest approved calendar of study, see [2024 Cal. Stat. ch. 138](#) (ACR 169).

4. Gov’t Code § [8298](#).

5. Gov’t Code § [8293\(a\)](#). See e.g., [2022 Cal. Stat. res. ch. 147](#) (ACR 95) (antitrust law), [2022 Cal. Stat. ch. 150](#) (SCR 92) (Equal Rights Amendment), and [2022 Cal. Stat. ch. 462](#) (AB 2503) (landlord and tenant terminology).

6. Gov’t Code § [8290.7\(c\)\(1\)](#), [\(3\)](#). An initial word search of the California codes by the staff reveals 197 code sections containing at least one reference to the term “dependent adult,” the term “dependent person,” or the term “dependent” used in the same code section as the term “elder.”

7. Gov’t Code § [8290.7\(c\)\(4\)](#).

In addition, in preparing this study, Section 8290.7 (c)(2) requires the Commission to obtain input from and convene a working group of stakeholders, including a number of identified groups and entities.⁸

NEXT STEPS

As Section 8290.7(c) appears to contemplate that the working group described in the section play a significant role in the Commission’s work on this study, the staff proposes to begin the study by identifying and considering for inclusion in the group prospective members in addition to those identified in Section 8290.7(c)(2),⁹ and then convening the working group for an initial discussion of the study.

The staff then proposes to seek input from that group relating to how to best accomplish the directives of the study, and thereafter to present to the Commission a tentative but more detailed proposed methodology for engaging in and completing the study.

QUESTIONS FOR COMMISSIONERS

Does the Commission have any questions or concerns about the scope or objectives of this study, as described in this memorandum?

Is the Commission agreeable with how the staff proposes to commence the study?

Does the Commission wish to suggest any participants the staff should seek to include in the working group to be convened, beyond those entities and persons already identified in Section 8290.7(c)(2)?

Respectfully submitted,

Steve Cohen
Staff Counsel

8. Gov’t Code § [8290.7\(c\)\(1\), \(2\)](#).

9. The directive to the Commission in this study provides that the working group include, but not be limited to, the following:

- (a) The state protection and advocacy agency (which at the present time is [Disability Rights California](#)).
- (b) The State Department of Social Services.
- (c) Groups representing persons who are described by the current definitions of “dependent adults” and “dependent persons.”
- (d) Persons who are described by the current definitions of “dependent adults” or “dependent persons.”