

MEMORANDUM 2025-12

Minutes of Meeting on January 23, 2025 (Draft)

The California Law Revision Commission held a meeting on January 23, 2025 in Sacramento and via teleconference.¹ The public was able to attend the meeting in person or via teleconference.

A draft of Minutes for the January 23, 2025, meeting is attached for the Commissioners to review.

The attached draft will be deemed final after it is approved by a vote of the Commission. When voting, the Commission may make specific changes to the Minutes. If so, those changes will be memorialized in the Minutes for the meeting at which the vote occurred.

The Bagley-Keene Open Meeting Act provides that attendees cannot be required to identify themselves.² As a means of observing that rule for teleconference attendees, the attendee list only includes teleconference attendees who have affirmatively consented to being identified in the Minutes as part of the teleconference registration process required for those who wish to attend the meeting or who identified themselves during public comment.

Respectfully submitted,

Sharon Reilly
Executive Director

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, through the website or otherwise.

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.

² Gov't Code § [11124](#).

***DRAFT* MINUTES OF MEETING
CALIFORNIA LAW REVISION COMMISSION**

January 23, 2025

A meeting of the California Law Revision Commission was held in Sacramento and via teleconference on January 23, 2025.

ATTENDANCE

Commission

Present Xochitl Carrion, Chairperson
Richard Simpson, Vice-Chairperson
Maria Bee
Senator Catherine Blakespear
David A. Carrillo
Amb. (r.) David Huebner
Cara Jenkins, Legislative Counsel
Assembly Member Ash Kalra
Victor King

Absent Ana Cubas

Commission Staff

Sharon Reilly, Executive Director
Sarah Huchel, Chief Deputy Director
Steve Cohen, Staff Counsel
Megan Hayenga, Office Technician

Antitrust Experts

Cheryl Johnson, Consultant to the Commission

Other Attendees¹

Joan Allen	Samantha Corbin
Biance Blomquist	Marla Cowan
George Cavinta	Kalyn Dean
Florence Chang	Eric Enson
Lucy Chinkezia	Carlotta Farris
Yvonne Choong	Kathleen Foote
Jack Christensen	Julianna Gesiotto
Sam Chung	Ben Golombeck

¹ Members of the public are only identified in the Minutes as attendees if they expressly consented to being identified when registering to attend via teleconference, by completing the voluntary visitor register at an in-person meeting location, or by identifying themselves during public comment.

Robert Herrell	Justin Paddock
Dylan Hoffman	Ryan Partovi
Garrett Jensen	Marissa Plante
Tasia Kieffer	Matt Regzn
Brandon Knapp	Dan Robbins
Gilbert Lara	Kevin Rodgers
Deanna LaTour-Jaquin	Natalie Schuman
Mona Masri	Robert Singleton
Peter Leroe-Muñoz	Michael Strumwasser
Carl London	Doni Tadesse
Gregory Mabra	Aisha Warsame
Nadia Mahallati	Travis West
Debbie Meador	Sarah Wohl
Benjamin O'Brien	Titus Wu
Teri Olle	Preston Young
Andrea Ordin	Andrea Zinder

CONTENTS

APPROVAL OF ACTIONS TAKEN	2
MINUTES.....	3
ADMINISTRATIVE MATTERS	3
Report of the Executive Director	3
Commissioner Suggestions.....	3
Open Government Laws	3
2025 LEGISLATIVE PROGRAM.....	3
STUDY B-750 — ANTITRUST LAW	3
STUDY E-200 — RECODIFICATION OF TOXIC SUBSTANCE STATUTES.....	4
STUDY G-300 — STATE AND LOCAL AGENCY ACCESS TO CUSTOMER INFORMATION FROM COMMUNICATION SERVICE PROVIDERS	5
STUDY I-100 — EQUAL RIGHTS AMENDMENT	5
STUDY I-200 — TERMINOLOGY RELATING TO PERSONS WITH DISABILITIES.....	5

APPROVAL OF ACTIONS TAKEN

Unless otherwise indicated, the Commission decisions noted in these Minutes were approved by all members present at the meeting. If a member who was present at the meeting voted against a particular decision, abstained from voting, or was not present when the decision was made, that fact is noted below.

MINUTES

The Commission considered Memoranda 2025-1 and 2025-2, presenting draft Minutes of the October 10, 2024, and November 13, 2024, meetings.

The Commission approved the Minutes without change.

ADMINISTRATIVE MATTERS

Report of the Executive Director

The Executive Director reported on the following matters:

- Introduced UC Law SF externs
- Budget update
- Hiring update
- Office Space: goal is to secure sufficient office space for Commission staff if the budget permits.
- Handbook update
- Updating internal policies and procedures
- Modernizing website
- Annual report moved to next meeting as it needs updating

Commissioner Suggestions

There were no suggestions made by Commissioners.

Open Government Laws

The Commission considered Memorandum 2025-3, summarizing “open government” laws applicable to the Commission. No Commission action was required or taken.

2025 LEGISLATIVE PROGRAM

The Commission considered Memorandum 2025-5, discussing the Commission’s 2025 legislative program.

No Commission decisions were required or made.

STUDY B-750 — ANTITRUST LAW

The Commission considered the following memoranda:

- Memorandum 2025-11, presenting initial recommendations for ACR 95

questions and Supplements 1 and 2 thereto.

The Commission took the following actions on the initial recommendations:

- The Commission voted to approve the staff recommendation to direct the staff to draft recommendations revising California’s antitrust laws. Commissioner Cubas was not present.
- The Commission voted to approve the staff recommendation that California adopt its own single firm conduct provision, different from federal law. Senator Blakespear and Commissioner Cubas were not present.
- The Commission voted to direct the staff to propose standards to the Commission that guard against the misuse of market power to any new single firm conduct provision. Commissioners Cubas and Huebner and Senator Blakespear were not present. Commission Simpson voted no.
- The Commission voted to approve the staff recommendation against Big Tech-specific antitrust laws and instead to ensure that any proposed antitrust language is drafted sufficiently broad and flexible enough to encompass Big Tech as well other industries. Commissioners Cubas and Huebner and Senator Blakespear were not present.
- The Commission voted to approve the staff recommendation that California adopt its own merger approval and premerger notification laws. Commissioners Cubas and Huebner and Senator Blakespear were not present.
- The Commission directed staff to provide additional information to the Commission on the current standard and burdens of proof in the context of merger laws before taking further action on the issue.
- The Commission directed staff to review the remaining recommendations and suggestions relating to Antitrust Law that have been provided to the Commission after the Commission considers the broader changes to single firm conduct and merger review and then calibrate the possible impact of further reforms.

STUDY E-200 — RECODIFICATION OF TOXIC SUBSTANCE STATUTES

The Commission considered Memorandum 2025-6, presenting a recurring cumulative draft of proposed recodified provisions of Chapter 6.5 of Division 20 of the Health and Safety Code that have been provisionally approved by the Commission for inclusion in a future tentative recommendation in this study.

The Commission provisionally approved addition to the recurring cumulative draft of two proposed Notes shown in the draft following proposed Section 64160.

The Commission also considered Memorandum 2025-7, presenting a staff draft of

additional proposed recodified provisions of Chapter 6.5 for provisional inclusion in the future tentative recommendation.

The Commission provisionally approved the inclusion of the additional proposed recodified provisions in that future tentative recommendation.

STUDY G-300 — STATE AND LOCAL AGENCY ACCESS TO CUSTOMER
INFORMATION FROM COMMUNICATION SERVICE PROVIDERS

The Commission considered Memorandum 2025-8, presenting updated proposed legislative language based on stakeholder feedback.

The Commission approved the language without changes for a tentative recommendation to be considered at the next meeting.

STUDY I-100 — EQUAL RIGHTS AMENDMENT

The Commission considered Memorandum 2025-9, presenting revised draft proposed legislative language and an update on work to identify and remedy specific defects.

The Commission approved the memorandum without changes for the purposes of a tentative recommendation to be considered at the next meeting.

STUDY I-200 — TERMINOLOGY RELATING TO PERSONS WITH DISABILITIES

The Commission considered Memorandum 2025-10, introducing this study and identifying next steps intended to be taken in the study by staff. No Commission action was required or taken.
