

MEMORANDUM 2025-14

**2024-2025 Annual Report (Staff Draft)**

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This memorandum presents a staff draft of the Commission's *2024-2025 Annual Report*.<sup>1</sup> Much of the content of the Annual Report is routine and does not change significantly from year to year. Items in the report for which the staff requests special attention from Commissioners are identified below. These matters include small portions of identified text in the body of the report, and a draft appendix containing Commissioner biographies.

The attached staff draft does not include drafts of other appendices routinely included in the published version of an Annual Report, consisting of largely repeating standard text (i.e., the text of the Commission's governing statute, its calendar of topics, and a cumulative table of legislative action on Commission recommendations).

CONTINGENT TEXT

Some text in the draft has been temporarily flagged with light shading.<sup>2</sup> The shaded text is contingent on decisions anticipated to be made at the upcoming Commission meeting.

Following those decisions, the staff will remove the temporary shading and adjust the text as needed.

APPENDIX CONTAINING COMMISSIONER BIOGRAPHIES

Each Annual Report contains an appendix of biographies of all Commissioners who served in the previous calendar year. The Commission's historical practice relating to the content of these biographies has been to conform the biographical information in the Governor's press release announcing a Commissioner's appointment to a standardized template, and thereafter add updates as requested. The staff works with the offices of Commissioners appointed by the Senate and Assembly, and the Legislative Counsel, to

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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](http://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. See pages 3, 10-12 of the Annual Report.

develop the biographies of those members.

#### ACTIVITIES OF COMMISSION MEMBERS AND STAFF

The Annual Report also notes any outside activities relating to the Commission's work that were engaged in by Commission members or staff since approval of the previous Annual Report.<sup>3</sup> **Staff requests that Commissioners advise staff if they engaged in any activities of this type during this time period.**<sup>4</sup>

#### COMMISSION DECISION

**Does the Commission approve the attached draft report and appendix, with any directed revisions, for publication?**

Respectfully submitted,

Steve Cohen  
Senior Staff Counsel

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3. The Commission's 2023-2024 Annual Report was approved on December 21, 2023.

4. See page 25 of the attached draft for an example of the types of activity reported in previous years.

STATE OF CALIFORNIA

# **CALIFORNIA LAW REVISION COMMISSION**

2024-2025 Annual Report

**STAFF DRAFT**

California Law Revision Commission  
c/o Legislative Counsel Bureau  
925 L Street, Suite 275  
Sacramento, CA 95814  
[www.clrc.ca.gov](http://www.clrc.ca.gov)

Cite this report as *2024-2025 Annual Report*, 49 Cal. L. Revision  
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## SUMMARY OF WORK OF COMMISSION

### **Recommendations to the 2024 Legislature**

In 2024, reports were submitted to the Legislature incorporating the following Commission recommendations:

- Repeal of Penal Code Section 1463.5
- Landlord and Tenant Terminology

### **2025 Legislative Program**

At the end of 2025, the Commission may seek introduction of legislation in 2026 effectuating Commission recommendations on the following subjects:

- Equal Rights Amendment
- State and Local Agency Access to Customer Information from Communication Service Providers

### **Commission Activities Planned for 2025**

The Commission intends to work on the following major topics in 2025: revision of antitrust law, the Equal Rights Amendment and sex-based discrimination, recodification of toxic substance statutes, state and local agency access to customer information from communication service providers, and terminology relating to persons with disabilities.

If staffing permits, the Commission also plans to work on emergency-related reforms.

The Commission may work on other topics as time permits.



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CALIFORNIA LAW REVISION COMMISSION

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XOCHITL CARRION, Chair  
RICHARD SIMPSON, Vice-Chair  
MARIA BEE  
SENATOR CATHERINE BLAKESPEAR  
DAVID A. CARRILLO  
ANA CUBAS  
AMB. (R.) DAVID HUEBNER  
CARA JENKINS  
ASSEMBLY MEMBER ASH KALRA  
VICTOR KING

## SUMMARY OF REPORT

In conformity with Government Code Section 8293, the California Law Revision Commission submits this report of its activities during 2024 and its plans for 2025.

In 2024, legislation implementing one Commission recommendation was enacted into law. The Commission expresses its appreciation to the Senate Committee on Public Safety Committee for carrying the implementing legislation:

- Repeal of Penal Code Section 1463.5

The Commission held six public meetings in 2024, each of which were conducted in a hybrid format that included both in-person and teleconference participation.

Approved by the Commission  
on April 3, 2025



## 2024-2025 ANNUAL REPORT

### Introduction

The California Law Revision Commission was created in 1953 and commenced operation in 1954 as the permanent successor to the Code Commission,<sup>1</sup> with responsibility for continuing substantive review of California statutory and decisional law.<sup>2</sup> The Commission studies the law to discover defects and anachronisms and recommends legislation to make needed reforms.

The Commission ordinarily works on major topics, assigned by the Legislature, that require detailed study and cannot easily be handled in the ordinary legislative process. The Commission's work is independent, nonpartisan, and objective.

The Commission consists of:<sup>3</sup>

- A Member of the Senate appointed by the Rules Committee
- A Member of the Assembly appointed by the Speaker
- Seven members appointed by the Governor with the advice and consent of the Senate
- The Legislative Counsel, who is an ex officio member

The Commission may only study topics authorized by the Legislature.<sup>4</sup>

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1. See 1953 Cal. Stat. ch. 1445, operative September 9, 1953. The first meeting of the Commission was held on February 23, 1954.

2. See Gov't Code §§ 8280-8298 (statute establishing Law Revision Commission) (Appendix 1 *infra*). See also *1955 Report* [Annual Report for 1954] at 7, 1 Cal. L. Revision Comm'n Reports (1957).

3. For current membership, see "Personnel of Commission" *infra*.

4. Under its general authority, the Commission may study only topics that the Legislature, by concurrent resolution, authorizes for study. See *Calendar of Topics Authorized for Study*, Appendix 2 *infra*. However, the Commission may study and recommend revisions to correct technical or minor substantive defects in state statutes without a prior concurrent resolution. Gov't Code § 8298. Additionally, a concurrent resolution or statute may directly confer authority to study a particular subject. See, e.g., 2024 Cal. Stat. ch. 233 [AB 1906] (terminology relating to persons with disabilities); 2022 Cal. Stat. ch. 462 [AB 2503] (landlord-tenant terminology); 2022 Cal. Stat. res. ch. 150 [SCR 92] (Equal Rights Amendment and sex-based discrimination); 2022 Cal. Stat. res. ch. 147 [ACR 95] (antitrust law); 2016 Cal. Stat. ch. 179 [AB 1779] and 2015 Cal. Stat. ch. 293 [AB 139] (revocable transfer on death deeds); 2014 Cal. Stat. ch. 243 [SB 406] (recognition of tribal and foreign court money judgments); 2013 Cal. Stat. res. ch. 115 [SCR 54] (state and local agency access to customer information from communications service providers); 2006 Cal. Stat. res. ch. 128

Since it commenced operation, the Commission has submitted 434 final recommendations to the Legislature that included proposed legislation. Of those recommendations that have been considered by the Legislature, 405 (more than 93%) have been implemented in whole or in substantial part, resulting in the amendment, addition, or repeal of more than 24,000 sections of California law.<sup>5</sup>

The Commission's recommendations and reports are available on the Commission's website,<sup>6</sup> along with most other Commission materials. The Commission's recommendations and reports are also regularly published in hardcover volumes that are available in many law libraries.

### 2025 Legislative Program

At the end of 2025, the Commission may seek introduction of legislation in 2026 effectuating Commission recommendations on the following subjects:

- Equal Rights Amendment and Sex-Based Discrimination
- State and Local Agency Access to Customer Information from Communication Service Providers

### Commission Activities Planned for 2025

During 2025, the Commission intends to work on the following major topics: revision of antitrust law, the Equal Rights Amendment and sex-based discrimination, recodification of toxic substance statutes, state and local agency access to customer information from communication service providers, and terminology relating to persons with disabilities.

If staffing permits, the Commission also plans to work on emergency-related reforms.

The Commission may work on other topics as time permits.

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[ACR 73] (nonsubstantive reorganization of deadly weapon statutes); 2006 Cal. Stat. ch. 216 [AB 2034] (donative transfer restrictions).

5. See *Legislative Action on Commission Recommendations*, Appendix 4 *infra*.

6. <https://www.clrc.ca.gov>.

**Antitrust Law**

The Commission will continue studying whether California antitrust law should be revised as directed in Assembly Concurrent Resolution 95 (2022).<sup>7</sup>

**Equal Rights Amendment**

The Commission will continue studying California law to identify and remedy defects related to discrimination and disparate impacts on the basis of sex, as directed in Senate Concurrent Resolution 92 (2022).<sup>8</sup>

**State and Local Agency Access to Customer Information from Communication Service Providers**

The Commission will continue studying the statutes that govern state and local agency access to customer information held by communications service providers, as directed in Senate Concurrent Resolution 54 (2013).<sup>9</sup>

**Recodification of Toxic Substance Statutes**

The Commission will continue studying the nonsubstantive revision of the Health and Safety Code relating to toxic substances.<sup>10</sup>

**Terminology Relating To Persons With Disabilities**

The Commission will study how to remove the terms “dependent adult,” “dependent person,” and related terms from all California code sections and replace those terms with new terminology describing persons who meet the definition of those terms in a respectful manner that preserves their legal rights and protections.<sup>11</sup>

**Emergency-Related Reforms**

If staffing permits, the Commission will continue studying whether the law should be revised to provide special rules that would apply to an area affected by a state of disaster or emergency, as specified.<sup>12</sup>

**Other Subjects**

The studies described above will dominate the Commission’s time

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7. See 2022 Cal. Stat. res. ch. 147.

8. See 2022 Cal. Stat. res. ch. 150.

9. See 2013 Cal. Stat. res. ch. 115.

10. See 2024 Cal. Stat. res. ch. 138.

11. See 2024 Cal. Stat. ch. 233.

12. See 2024 Cal. Stat. res. ch. 138.

and resources during 2025. As time permits, the Commission may consider other subjects that are authorized for study.

### Function and Procedure of Commission

The principal duties of the Commission are to:<sup>13</sup>

- (1) Examine the common law and statutes for the purpose of discovering defects and anachronisms.
- (2) Receive and consider suggestions and proposed changes in the law from the American Law Institute, the National Conference of Commissioners on Uniform State Laws,<sup>14</sup> bar associations and other learned bodies, and from judges, public officials, lawyers, and the public generally.
- (3) Recommend such changes in the law as it deems necessary to bring California law into harmony with modern conditions.<sup>15</sup>

The Commission is required to file a report at each regular session of the Legislature containing a calendar of topics for study, listing both studies in progress and topics intended for future consideration.<sup>16</sup> Under its general statutory authority, the Commission may only study topics in that calendar that have been or are thereafter authorized by a concurrent resolution.<sup>17</sup>

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13. See Gov't Code §§ 8280-8298 (statute governing California Law Revision Commission); Appendix 1 *infra*.

14. The Legislative Counsel, an ex officio member of the Law Revision Commission, serves as a Commissioner of the Commission on Uniform State Laws. See Gov't Code § 10271.

15. Gov't Code § 8289. The Commission is also directed by Government Code Section 8290 to recommend the express repeal of all statutes repealed by implication or held unconstitutional by the California Supreme Court or the United States Supreme Court. See "Report on Statutes Repealed by Implication or Held Unconstitutional" *infra*.

16. Gov't Code § 8293(a) (1<sup>st</sup> sent.).

17. Gov't Code § 8293(a) (2<sup>nd</sup> sent.).

A concurrent resolution<sup>18</sup> or statute<sup>19</sup> may also direct the Commission to study a particular subject,<sup>20</sup> and the Commission has general authority to study and recommend revisions to correct technical or minor substantive defects in California statutes, without any specific authorization from the Legislature.<sup>21</sup>

### **Calendar of Topics for Study**

The Commission's most recently submitted calendar of topics includes 14 topics for study authorized by the Legislature.<sup>22</sup>

### **Background Studies and Expert Consultants**

The Commission's work on a recommendation at times begins with a background study, typically prepared by a law professor or practicing attorney in the field who is retained as a consultant. Consultants have already acquired the considerable knowledge necessary to understand the specific problems under consideration, and typically receive little more than an honorarium for their services. Background studies are published on the Commission's website and may also be published in a law review.<sup>23</sup>

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18. For examples of concurrent resolutions referring a specific topic to the Commission for study, see 2022 Cal. Stat. res. ch. 150 [SCR 92] (Equal Rights Amendment and sex-based discrimination); 2022 Cal. Stat. res. ch. 147 [ACR 95] (revision of antitrust law); 2013 Cal. Stat. res. ch. 115 [SCR 54] (state and local agency access to customer information from communications service providers).

19. For example, Government Code Section 70219 requires the Commission, in consultation with the Judicial Council, to perform follow-up studies taking into consideration the experience in courts that have unified. For a list of specific studies, see *Trial Court Unification: Revision of Codes*, 28 Cal. L. Revision Comm'n Reports 51, 82-86 (1998).

Government Code Section 71674 requires the Commission to recommend repeal of provisions made obsolete by the Trial Court Employment Protection and Governance Act (Gov't Code § 71600 *et seq.*), Lockyer-Isenberg Trial Court Funding Act of 1997 (1997 Cal. Stat. ch. 850), and the implementation of trial court unification.

Pursuant to Code of Civil Procedure Section 681.035, the Commission also has continuing authority to study enforcement of judgments.

Statutory authority for a Commission study may be uncodified. See, e.g., 2022 Cal. Stat. ch. 462 (landlord-tenant terminology); 2016 Cal. Stat. ch. 179 (revocable transfer on death deeds).

20. Gov't Code § 8293(a) (3rd sent.).

21. Gov't Code § 8298.

22. See *Calendar of Topics Authorized for Study*, Appendix 2 *infra*; 2024 Cal. Stat. res. ch. 138 [ACR 169].

23. For recent background studies published in law reviews, see Méndez, *California Evidence Code - Federal Rules of Evidence, IX. General Provisions*, 44 U.S.F. L. Rev. 891 (2010); Méndez, *California Evidence Code - Federal Rules*

From time to time, the Commission also requests expert assistance from law professors and other legal professionals who may provide written input or testify at meetings.

### Recommendations

After making its preliminary decisions in a study, the Commission typically posts a tentative recommendation in the study on its website and distributes it electronically to interested persons and organizations with a request for public comment.

Comments received on a tentative recommendation are thereafter presented to the Commission in staff memoranda, and considered by the Commission in determining what final recommendation to make to the Legislature.<sup>24</sup> Once the Commission has reached its conclusions in a study,<sup>25</sup> a final recommendation, including proposed implementing legislation, is submitted to the Legislature<sup>26</sup> and the Governor, and also distributed electronically and published on the Commission's website.

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*of Evidence, VIII. Judicial Notice*, 44 U.S.F. L. Rev. 141 (2009); Méndez, *California Evidence Code - Federal Rules of Evidence, VII. Relevance: Definition and Limitations*, 42 U.S.F. L. Rev. 329 (2007); Méndez, *California Evidence Code — Federal Rules of Evidence, VI. Authentication and the Best and Secondary Evidence Rules*, 41 U.S.F. L. Rev. 1 (2006); Méndez, *California Evidence Code - Federal Rules of Evidence, V. Witnesses: Conforming the California Evidence Code to the Federal Rules of Evidence*, 39 U.S.F. L. Rev. 455 (2005); Alford, *Report to Law Revision Commission Regarding Recommendations for Changes to California Arbitration Law*, 4 Pepp. Disp. Resol. L.J. 1 (2004); Méndez, *California Evidence Code - Federal Rules of Evidence, IV. Presumptions and Burden of Proof: Conforming the California Evidence Code to the Federal Rules of Evidence*, 38 U.S.F. L. Rev. 139 (2003); Méndez, *California Evidence Code - Federal Rules of Evidence, I. Hearsay and Its Exceptions: Conforming the Evidence Code to the Federal Rules*, 37 U.S.F. L. Rev. 351 (2003); Méndez, *California Evidence Code - Federal Rules of Evidence, II. Expert Testimony and the Opinion Rule: Conforming the Evidence Code to the Federal Rules*, 37 U.S.F. L. Rev. 411 (2003); Méndez, *California Evidence Code - Federal Rules of Evidence, III. The Role of Judge and Jury: Conforming the Evidence Code to the Federal Rules*, 37 U.S.F. L. Rev. 1003 (2003).

24. See Gaal, *Evidence Legislation in California*, 36 S.W.U. L. Rev. 561, 563-69 (2008); Quillinan, *The Role and Procedures of the California Law Revision Commission in Probate and Trust Law Changes*, 8 Est. Plan. & Cal. Prob. Rep. 130-31 (Cal. Cont. Ed. Bar 1987).

25. Occasionally, one or more members of the Commission may not join in all, or part of a recommendation submitted to the Legislature by the Commission. Dissents are noted in the minutes of the meeting at which the recommendation is approved.

26. See Gov't Code § 9795.



### Official Comments

The Commission ordinarily prepares an official Comment explaining each section it recommends for enactment, amendment, or repeal. The Comments are included in the Commission's published recommendations. A Comment typically explains the purpose of the recommended revision, and may also indicate the derivation of a section, its relation to other law, and potential issues concerning its meaning or application.<sup>27</sup>

### Commission Materials as Legislative History

Commission recommendations are sent to both houses of the Legislature, as well as the Legislative Counsel and Governor.<sup>28</sup>

A bill introduced to effectuate a Commission recommendation is assigned to legislative committees charged with study of the matter in depth.<sup>29</sup> A copy of the recommendation is provided to legislative committee members and staff before the bill is heard and throughout the legislative process. The legislative committees rely on the recommendation in analyzing the bill and making recommendations to the Legislature.<sup>30</sup>

If an amendment is made to the bill that is inconsistent with a submitted Commission Comment, the Commission may adopt a revised Comment and provide it to the Legislature. The Commission also provides any revised Comment to the Governor's office once the bill has passed the Legislature. These materials are a matter of public record.

Until the mid-1980s, a legislative committee, on approving a bill implementing a Commission recommendation, would adopt the Commission's recommendation as indicative of the committee's

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27. Commission Comments are published by Thomson Reuters and LexisNexis in their ~~print~~ published editions of the annotated codes and ~~printed~~ published in selected codes prepared by other publishers. Comments are also available online on Westlaw and LexisNexis.

28. See Gov't Code §§ 8291, 9795, 11094-11099; see also *Reynolds v. Superior Court* (1974) 12 Cal.3d 834, 847 n.18, 528 P.2d 45, 117 Cal.Rptr. 437 (Commission "submitted to the Governor and the Legislature an elaborate and thoroughly researched study").

29. See, e.g., <https://clerk.assembly.ca.gov/legislative-information/process> (discussing the legislative process, including the purpose and function of the policy committee system).

30. For an example of such a report, see *Report of Senate Committee on Judiciary on Assembly Bill 3472*, Senate J. June 14, 1984, reprinted in 18 Cal. L. Revision Comm'n Reports 1, 115 (1986).

intent in approving the bill.<sup>31</sup> If a Comment required revision, the revised Comment would be adopted as a legislative committee Comment. The committee's report would then be printed in the journal of the relevant house.<sup>32</sup>

The Legislature has discontinued this former practice due to increased committee workloads and an effort to decrease the volume of material reprinted in the legislative journals. Under current practice, a legislative committee relies on Commission materials in its analysis of a bill but does not separately adopt the materials. Thereafter, the Commission reports in its Annual Report on the legislative history of any bill intended to implement a Commission recommendation, and notes any revised Comments in an appendix to the Annual Report.<sup>33</sup>

### **Use of Commission Materials to Determine Legislative Intent**

Commission materials considered by the Legislature are legislative history, declarative of legislative intent,<sup>34</sup> and entitled to great weight in construing statutes.<sup>35</sup> The materials are a key

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31. See, e.g., *Baldwin v. State* (1972) 6 Cal.3d 424, 433, 491 P.2d 1121, 99 Cal.Rptr. 145. For a description of legislative committee reports adopted in connection with the bill that became the Evidence Code, see *Arellano v. Moreno* (1973) 33 Cal.App.3d 877, 884, 109 Cal.Rptr. 421.

32. For an example of such a report, see *Report of Senate Committee on Judiciary on Assembly Bill 3472*, Senate J. June 14, 1984, reprinted in 18 Cal. L. Revision Comm'n Reports 1, 115 (1986).

33. Commission reports have in the past also been published in legislative journals. See, e.g., *In re Marriage of Neal* (1984) 153 Cal.App.3d 117, 124, 200 Cal.Rptr. 341 (noting that the Chair of Senate Judiciary Committee, when reporting on AB 26 on Senate floor, moved that the revised Commission report be printed in Senate Journal as evidence of legislative intent).

34. See, e.g., *Guardianship of Ann S.* (2009) 45 Cal.4th 1110, 1137 n.20, 202 P.3d 1089, 90 Cal.Rptr.3d 701 (Commission's official comments deemed to express Legislature's intent); *Metcalf v. County of San Joaquin* (2008) 42 Cal.4th 1121, 1132, 176 P.3d 654, 72 Cal.Rptr.3d 382 (official comments of California Law Revision Commission are declarative of intent not only of drafters of code but also of legislators who subsequently enacted it); *Collection Bureau of San Jose v. Rumsey* (2000) 24 Cal.4th 301, 308 & n.6, 6 P.3d 713, 99 Cal.Rptr.2d 792 (comments to reenacted statute reiterate clear understanding and intent of original enactment); *County of Los Angeles v. Superior Court* (1965) 62 Cal.2d 839, 843-44, 402 P.2d 868, 44 Cal.Rptr. 796 (statutes reflect policy recommended by Commission).

35. See, e.g., *People v. Veamatahau* (2020) 9 Cal.5th 16, 32, 459 P.3d 10, 259 Cal.Rptr.3d 205; *Sargon Enterprises, Inc. v. University of Southern California* (2012) 55 Cal.4th 747, 770, 288 P.3d 1237, 149 Cal.Rptr.3d 614 ("Comments of a commission that proposed a statute are entitled to substantial weight in construing the statute, especially when, as here, the Legislature adopted the statute

interpretive aid for practitioners as well as courts,<sup>36</sup> and courts may judicially notice and rely on them.<sup>37</sup> Courts at all levels of the state<sup>38</sup> and federal<sup>39</sup> judicial systems depend on Commission materials to construe statutes enacted on Commission recommendations. Appellate courts have cited Commission materials<sup>40</sup> in more than a thousand published opinions.

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without change.”); *Jevne v. Superior Court* (2005) 35 Cal.4th 935, 947, 111 P.3d 954, 28 Cal.Rptr.3d 685 (Commission report entitled to substantial weight in construing statute); *Utility Consumers’ Action Network, Inc. v. AT&T Broadband of Southern Cal., Inc.* (2006) 135 Cal.App.4th 1023, 1029, 37 Cal.Rptr.3d 827 (Commission recommendation enacted without change is entitled to substantial weight when interpreting statutory provision); *Hale v. Southern California IPA Medical Group, Inc.* (2001) 86 Cal.App.4th 919, 927, 103 Cal.Rptr.2d 773:

In an effort to discern legislative intent, an appellate court is entitled to take judicial notice of the various legislative materials, including committee reports, underlying the enactment of a statute. (*Kern v. County of Imperial* (1990) 226 Cal.App.3d 391, 400, fn. 8 [276 Cal.Rptr. 524]; *Coopers & Lybrand v. Superior Court* (1989) 212 Cal.App.3d 524, 535, fn. 7 [260 Cal.Rptr. 713].) In particular, reports and interpretive opinions of the Law Revision Commission are entitled to great weight. (*Schmidt v. Southern Cal. Rapid Transit Dist.* (1993) 14 Cal.App.4th 23, 30, fn. 10 [17 Cal.Rptr.2d 340].)

36. Cf. 11 B. Witkin, Summary of California Law *Constitutional Law* § 138(d) (2020) (Commission reports as aid to construction); Gaylord, *An Approach to Statutory Construction*, 5 Sw. U. L. Rev. 349, 384 (1973).

37. See, e.g., *Lang v. Roché* (2011) 201 Cal.App.4th 254, 263 n.8, 133 Cal.Rptr.3d 675; *Kaufman & Broad Communities, Inc. v. Performance Plastering, Inc.* (2005) 133 Cal.App.4th 26, 34 Cal.Rptr.3d 520 (providing overview of materials that may be judicially noticed in determining legislative intent); *Hale v. Southern California IPA Medical Group, Inc.* (2001) 86 Cal.App.4th 919, 927, 103 Cal.Rptr.2d 773; *Barkley v. City of Blue Lake* (1993) 18 Cal.App.4th 1745, 1751 n.3, 23 Cal.Rptr.2d 315.

38. See, e.g., *Sullivan v. Delta Air Lines, Inc.* (1997) 15 Cal.4th 288, 298, 935 P.2d 781, 63 Cal.Rptr.2d 74 (California Supreme Court); *Branches Neighborhood Corp. v. CalAtlantic Group, Inc.* (2018) 26 Cal.App.5th 743, 754, n.5, 237 Cal.Rptr.3d 411 (court of appeal); *Rossetto v. Barross* (2001) 90 Cal.App.4th Supp. 1, 110 Cal.Rptr.2d 255 (appellate division of superior court).

39. See, e.g., *California v. Green* (1970) 399 U.S. 149, 154 n.3 (United States Supreme Court); *S. Cal. Bank v. Zimmerman (In re Hilde)* (9th Cir. 1997) 120 F.3d 950, 953 (federal court of appeals); *Mortgage Electronic Registration Systems v. Robinson* (C.D. Cal. 2014) 45 F.Supp.3d 1207, 1210 (federal district court); *Ford Consumer Fin. Co. v. McDonell (In re McDonell)* (B.A.P. 9th Cir. 1996) 204 B.R. 976, 978-79 (bankruptcy appellate panel); *In re 3 MB, LLC* (Bankr. E.D. Cal. 2019) 609 B.R. 841, 851-52 (bankruptcy court).

40. It should be noted that the Law Revision Commission should not be cited as the “Law Revision Committee” or as the “Law Review Commission.” See, e.g., *Venerable v. City of Sacramento* (E.D. Cal. 2002) 185 F.Supp.2d 1128, 1132 (Law

Commission materials have been used as direct support for a court's interpretation of a statute,<sup>41</sup> as one of several indicia of legislative intent,<sup>42</sup> to explain the public policy behind a statute,<sup>43</sup> and on occasion to demonstrate by its silence the Legislature's intention not to change the law.<sup>44</sup> The Legislature's failure to adopt a Commission recommendation may be used as evidence of legislative intent to reject the proposed recommendation.<sup>45</sup>

Commission materials are entitled to great weight, but they are not conclusive.<sup>46</sup> While the Commission endeavors in Comments to explain any changes in the law made by a section, the Commission does not claim that every consistent or inconsistent case is noted in the Comments,<sup>47</sup> nor can it anticipate judicial conclusions as to the significance of existing case authorities.<sup>48</sup> Hence, failure of the

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Revision "Committee"); *Ryan v. Garcia* (1994) 27 Cal.App.4th 1006, 1010 n.2, 33 Cal.Rptr.2d 158 (Law "Review" Commission).

41. See, e.g., *People v. Ainsworth* (1988) 45 Cal.3d 984, 1015, 755 P.2d 1017, 248 Cal.Rptr. 568.

42. See, e.g., *Heieck & Moran v. City of Modesto* (1966) 64 Cal.2d 229, 233 n.3, 411 P.2d 105, 49 Cal.Rptr. 377.

43. See, e.g., *Southern Cal. Gas Co. v. Public Utils. Comm'n* (1990) 50 Cal.3d 31, 38 n.8, 784 P.2d 1373, 265 Cal.Rptr. 801; *Altizer v. Highsmith* (2020) 52 Cal.App.5th 331, 338, 265 Cal.Rptr.3d 832.

44. See, e.g., *In re Pikush* (B.A.P. 9th Cir. 1993) 157 B.R. 155, 157-58 (Commission's recommendation "[n]owhere" suggests that statutory revisions would create new exemption for annuities, thus the Legislature did not create such exemption when it made those revisions); *State ex rel. State Pub. Works Bd. v. Stevenson* (1970) 5 Cal.App.3d 60, 64-65, 84 Cal.Rptr. 742 (Legislature had no intention of changing existing law where "not a word" in Commission's reports indicated intent to abolish or emasculate well-settled rule).

45. See, e.g., *McWilliams v. City of Long Beach* (2013) 56 Cal.4th 613, 623-24, 300 P.3d 886, 155 Cal.Rptr.3d 817; *Nestle v. City of Santa Monica* (1972) 6 Cal.3d 920, 935-36, 496 P.2d 480, 101 Cal.Rptr. 568.

46. See, e.g., *Wilson v. County of San Joaquin* (2019) 38 Cal.App.5th 1, 11, 250 Cal.Rptr.3d 56; *Redevelopment Agency v. Metropolitan Theatres Corp.* (1989) 215 Cal.App.3d 808, 812, 263 Cal.Rptr. 637 (Comment does not override clear and unambiguous statute). Commission materials are but one indicium of legislative intent. See, e.g., *Estate of Joseph* (1998) 17 Cal.4th 203, 216, 949 P.2d 472, 70 Cal.Rptr.2d 619. The accuracy of a Comment may also be questioned. See, e.g., *Buzgheia v. Leasco Sierra Grove* (1994) 30 Cal.App.4th 766, 774, 36 Cal.Rptr.2d 144; *In re Thomas* (Bankr. E.D. Cal. 1989) 102 B.R. 199, 202.

47. Cf. *People v. Coleman* (1970) 8 Cal.App.3d 722, 731, 87 Cal.Rptr. 554 (Comments make clear intent to reflect existing law even if not all supporting cases are cited).

48. See, e.g., *Arellano v. Moreno* (1973) 33 Cal.App.3d 877, 885, 109 Cal.Rptr. 421 (noting that decisional law cited in Comment was distinguished by

Comment to note every change the recommendation would make in prior law, or to refer to a consistent or inconsistent judicial decision, is not intended to, and should not, influence the construction of a clearly stated statutory provision.<sup>49</sup>

Some types of Commission materials are improperly relied on as evidence of legislative intent. On occasion, courts have cited preliminary Commission materials such as tentative recommendations, correspondence, and staff memoranda and drafts in support of their construction of a statute.<sup>50</sup> While these materials may be indicative of the Commission's intent in proposing the legislation, only the Legislature's intent in adopting the legislation is entitled to weight in construing the statute.<sup>51</sup> Unless preliminary Commission materials were before the Legislature during its consideration of the legislation, those materials are not legislative history and are not relevant in determining the Legislature's intention in adopting the legislation.<sup>52</sup>

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the California Supreme Court in a case decided after enactment of the Commission recommendation).

49. The Commission does not concur in the *Kaplan* approach to statutory construction. See *Kaplan v. Superior Court* (1971) 6 Cal.3d 150, 158-59, 491 P.2d 1, 98 Cal.Rptr. 649. For a reaction to the problem created by the *Kaplan* approach, see *Recommendation Relating to Erroneously Ordered Disclosure of Privileged Information*, 11 Cal. L. Revision Comm'n Reports 1163 (1973); 1974 Cal. Stat. ch. 227.

50. See, e.g., *Rojas v. Superior Court* (2005) 33 Cal.4th 407, 93 P.3d 260, 15 Cal.Rptr.3d 643 (tentative recommendation, correspondence, and staff memorandum and draft); *Yamaha Corp. v. State Bd. of Equalization* (1998) 19 Cal.4th 1, 12-13, 960 P.2d 1031, 78 Cal.Rptr.2d 1 (tentative recommendation). However, in some cases, proposed legislation will be based on a tentative, rather than final, Commission recommendation. See, e.g., *Estate of Archer* (1987) 193 Cal.App.3d 238, 243, 239 Cal.Rptr. 137. In that event, reliance on the tentative recommendation is proper.

See also *Ilkhchooyi v. Best* (1995) 37 Cal.App.4th 395, 406, 45 Cal.Rptr.2d 766 (letter responding to tentative recommendation); D. Henke, California Legal Research Handbook § 3.51 (1971) (background studies).

51. Cf. *Rittenhouse v. Superior Court* (1991) 235 Cal.App.3d 1584, 1589, 1 Cal.Rptr.2d 595 (linking Commission's intent and Legislature's intent); *Guthman v. Moss* (1984) 150 Cal.App.3d 501, 508, 198 Cal.Rptr. 54 (determination of Commission's intent used to infer Legislature's intent).

52. The Commission concurs with the opinion of the court in *Juran v. Epstein* (1994) 23 Cal.App.4th 882, 894 n.5, 28 Cal.Rptr.2d 588, that staff memoranda to the Commission should generally not be considered as legislative history.

A Commission study analyzing a statute prepared after enactment of that statute is not part of the legislative history of the statute.<sup>53</sup> However, documents prepared by or for the Commission may be used by the courts for their analytical value, apart from their role in statutory construction.<sup>54</sup>

### **Publications**

Commission publications are distributed to the Governor, the Secretary of the Senate, the Chief Clerk of the Assembly, and the Legislative Counsel.<sup>55</sup> Commission materials are also distributed to interest groups, legal communities, and other individuals requesting materials.

The Commission's reports, recommendations, and studies are published on the Commission's website and in hardcover volumes that serve as a permanent record of the Commission's work and are a valuable contribution to the legal literature of California. These volumes are also available at many law libraries. About half of the hardcover volumes are out of print, but others are available for purchase. Publications that are out of print are available as electronic files.<sup>56</sup>

### **Electronic Publication**

Since 1995, the Commission has provided a variety of information on its website,<sup>57</sup> including the current agenda, meeting minutes, background studies, tentative and final recommendations, staff memoranda, and general background information.

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53. See, e.g., *Duarte v. Chino Community Hosp.* (1999) 72 Cal.App.4th 849, 856 n.3, 85 Cal.Rptr.2d 521.

54. See, e.g., *Sierra Club v. San Joaquin Local Agency Formation Comm'n* (1999) 21 Cal.4th 489, 502-03, 981 P.2d 543, 87 Cal.Rptr.2d 702 (unenacted Commission recommendation useful as "opinion of a learned panel"); *Hall v. Hall* (1990) 222 Cal.App.3d 578, 585, 271 Cal.Rptr. 773 (Commission staff report most detailed analysis of statute available); *W.E.J. v. Superior Court* (1979) 100 Cal.App.3d 303, 309-10, 160 Cal.Rptr. 862 (law review article prepared for Commission provides insight into development of law); *Schonfeld v. City of Vallejo* (1975) 50 Cal.App.3d 401, 407 n.4, 123 Cal.Rptr. 669 (court indebted to many studies of Commission for analytical materials).

55. See Gov't Code § 8291. For limitations on Section 8291, see Gov't Code §§ 9795, 11094-11099.

56. See "Electronic Publication" *infra*.

57. <https://clrc.ca.gov>.

Since 2002, all Commission publications and staff memoranda have been available as electronic files and can be downloaded from the Commission's website.

**Electronic Mail**

Email commenting on Commission proposals or suggesting issues for study is given the same consideration as letter correspondence. Email to the Commission should be sent to appropriate Commission staff, at the email addresses on the Commission's "Contact Information" webpage.<sup>58</sup>

The Commission distributes the majority of its meeting agendas, staff memoranda, and other written materials electronically, by means of its website and email distribution lists. The Commission encourages use of email as an inexpensive and expedient means of communication with the Commission.

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58. [https://clrc.ca.gov/Menu6\\_contact\\_subscribe/contact.html](https://clrc.ca.gov/Menu6_contact_subscribe/contact.html).

### Personnel of Commission<sup>59</sup>

As of April 3, 2025, the following persons are members of the Commission:

#### Legislative Members<sup>60</sup>

Senator Catherine Blakespear  
Assembly Member Ash Kalra

#### Legislative Counsel<sup>61</sup>

Cara Jenkins

#### Members Appointed by Governor<sup>62</sup>

	<i>Term Expires</i>
Xochitl Carrion, San Francisco <i>Chair</i>	October 1, 2025
Richard Simpson, Sacramento <i>Vice-Chair</i>	October 1, 2027
Maria Bee, Oakland	October 1, 2027
David A. Carrillo, Berkeley	October 1, 2027
Ana Cubas, Los Angeles	October 1, 2025
Amb. (r.) David Huebner, Palm Springs	October 1, 2025
Victor King, La Crescenta	October 1, 2027

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59. See also *Biographies of 2025 Commissioners*, Appendix 3 *infra*.

60. The Senate and Assembly members of the Commission serve at the pleasure of their respective appointing powers, the Senate Committee on Rules and the Speaker of the Assembly. Gov't Code § 8281.

61. The Legislative Counsel serves on the Commission by virtue of the office. Gov't Code § 8281.

62. Seven Commission members are appointed by the Governor with the advice and consent of the Senate, to serve staggered four-year terms. See Gov't Code § 8281. If a vacancy occurs in any of these appointed offices mid-term, the Governor may appoint a replacement to the vacant office, to serve for the balance of the unexpired term of the person's predecessor. *Id.* Upon expiration of a Commission member's term, the member if not reappointed may continue to serve an additional 60 days, after which time the office is deemed to be vacant. Gov't Code § 1774(a).



The following persons are currently on the Commission's staff:<sup>63</sup>

*Legal*

SHARON REILLY  
*Executive Director*

SARAH HUCHEL  
*Chief Deputy Director*

STEVE COHEN  
*Senior Staff Counsel*

*Administrative*

CHRISTIE HOUSE  
*Chief of Administration*

MEGAN HAYENGA  
*Office Technician*

**Committee on Revision of the Penal Code**

On January 1, 2020, the Committee on Revision of the Penal Code was formed as a part of the Commission.<sup>64</sup>

The Commission provides administrative support for the Committee, but the membership, authority, and deliberative processes of the two bodies are separate and non-overlapping.<sup>65</sup>

The Committee describes its activities and recommendations in a separate Annual Report.<sup>66</sup> They are not reported here.

**Commission Budget**

The Commission's operations for the 2024-25 fiscal year, including the operations of the Committee on Revision of the Penal Code, have been funded through a reimbursement from the California Office of Legislative Counsel, in the amount of \$2,542,000.<sup>67</sup>

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63. The Commission also employs three attorneys who work exclusively for the Committee on Revision of the Penal Code, Thomas Nosewicz, Joy Haviland, and Richard Owen.

64. Gov't Code § 8280(b).

65. Gov't Code §§ 8281 (Commission membership), 8281.5 (Committee membership), 8289 (Commission duties), 8290.5 (Committee duties and authority), 8293(a) (Commission authority).

66. Gov't Code § 8293(b).

67. See <https://ebudget.ca.gov/budget/publication/#/e/2024-25/Department/8830>.

### **Expert Reports: Antitrust Study**

The Commission has recruited experts to assist the Commission in its study of Antitrust Law. The experts' scopes of work are described in Memorandum 2023-16 and Memorandum 2024-32.

The Commission is extremely grateful for the invaluable assistance these experts provided. The reports they prepared for the Commission established a critical foundation for the Commission's deliberations.

The Commission would like to thank the members of the working groups for their contributions to these reports:

- Group 1. Single Firm Conduct
- Group 2. Mergers and Acquisitions
- Group 3. Concerted Action
- Group 4. Consumer Welfare Standard
- Group 5. Technology Platforms
- Group 6. Enforcement and Exemptions
- Group 7. Concentration in California
- Group 8. Artificial Intelligence

### **Other Activities**

The Commission is directed by statute to cooperate with bar associations and other learned, professional, or scientific associations, institutions, or foundations in any manner suitable for the fulfillment of the purposes of the Commission.<sup>68</sup>

#### **National Conference of Commissioners on Uniform State Laws**

The Commission is directed by statute to receive and consider proposed changes in the law recommended by the National Conference of Commissioners on Uniform State Laws, also known as the Uniform Law Commission (ULC).<sup>69</sup> Legislative Counsel and Commission member Cara Jenkins is a member of the California Commission on Uniform State Laws and the National Conference.

A representative of the UCL presented its Antitrust Pre-Merger Notification Act to the Commission on June 20 and August 15, 2024.

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68. Gov't Code § 8296.

69. Gov't Code § 8289.

**Other Commissioner and Staff Activities**

On February 21, 2024, Executive Director Sharon Reilly gave a presentation about the Commission to an advanced legislative process class at UC Law San Francisco, taught by former Commissioner and Legislative Counsel Diane Boyer-Vine.

**Legislative History of Recommendations  
in the 2024 Legislative Session**

In 2024, three Commission recommendations were considered by the Legislature.

**Repeal of Penal Code Section 1463.5**

Senate Bill 1518 (2024 Cal. Stat. ch. 495) was introduced in 2024 by the Senate Committee on Public Safety, in part to effectuate the Commission's recommendation on *Repeal of Penal Code Section 1463.5*, 49 Cal. L. Revision Comm'n Reports \_\_ (2024).

The measure was enacted, with amendments.

**State and Local Agency Access to Electronic Communications:  
Notice of Administrative Subpoena**

Assembly Bill 522 (Kalra) was introduced in 2023, to effectuate the Commission's recommendation on *State and Local Agency Access to Electronic Communications: Notice of Administrative Subpoena*, 49 Cal. L. Revision Comm'n Reports \_\_ (2023). The bill was eventually referred to the Assembly Committee on Appropriations suspense file in 2023, and thereafter held under submission until 2024.

The measure was not enacted.

**Landlord-Tenant Terminology**

Assembly Bill 2503 (2022 Cal. Stat. ch. 462), introduced by Assembly Member Cristina Garcia, was enacted in 2022, directing the Commission to submit a recommendation to the Legislature relating to landlord-tenant terminology by December 31, 2024.

In 2024, the Commission submitted to the Legislature its recommendation on *Landlord-Tenant Terminology*, 49 Cal. L. Revision Comm'n Reports \_\_ (2024), which did not recommend the enactment of any legislation.

### **Report on Statutes Repealed by Implication or Held Unconstitutional**

Government Code Section 8290 provides:

The commission shall recommend the express repeal of all statutes repealed by implication, or held unconstitutional by the Supreme Court of the state or the Supreme Court of the United States.

Pursuant to this directive, the Commission has reviewed the decisions of the United States Supreme Court and the California Supreme Court published since the Commission's last Annual Report was prepared,<sup>70</sup> and has the following to report:

- No decision of the United States Supreme Court or the California Supreme Court holding a California statute repealed by implication has been found.
- No decision of the United States Supreme Court or the California Supreme Court holding a California statute unconstitutional has been found.

### **Recommendations**

The Commission respectfully recommends that the Legislature authorize the Commission to continue its study of the topics previously authorized.<sup>71</sup>

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70. The study in the Commission's last Annual Report was carried through opinions published on or before December 1, 2023. This study has been carried through opinions published on or before March 7, 2025.

71. See *Calendar of Topics Authorized for Study*, Appendix 2 *infra*.

**APPENDIX 4****BIOGRAPHIES OF 2024 COMMISSIONERS**

**Xochitl Carrion**, of San Francisco, presently serves as Chair of the Commission. She founded and has been an attorney with the Law Office of Xochitl Carrion since 2023. She was previously an attorney at the ALTO Alliance LLC from 2021 to 2022, an Assistant District Attorney at the San Francisco District Attorney's Office from 2015 to 2021, and an Associate at Goldfarb & Lipman LLC from 2007 to 2015. She is currently the President of the California La Raza Lawyers Association and serves on the San Francisco Sheriff's Oversight Board and was its Vice President from 2021 to 2023. Commissioner Carrion received a Juris Doctor degree from the University of California Law San Francisco.

**Richard Simpson**, of Sacramento, presently serves as Vice-Chair of the Commission. He was Chief of Staff for the Office of Senator Hertzberg in 2019, and was previously Deputy Chief of Staff and Education Advisor for eight Assembly Speakers from 1999 to 2016, Legislative Secretary in the Office of Governor Gray Davis in 1999, a legislative advocate for the California Teachers Association from 1996 to 1998, Chief of Staff for the Senate Education Committee from 1995 to 1996, Education Advisor for the Office of the Assembly Speaker Willie Brown, Jr. from 1991 to 1994, Senior Consultant for the Assembly Education Committee from 1984 to 1990, and Education Consultant at the Senate Office of Research from 1978 to 1984. He served as a member of the Commission on Judicial Performance from 2013 to 2024, and as a member of the Sacramento County Board of Education from 1990 to 2002. Commissioner Simpson received a Master of Public Policy degree from the University of California, Berkeley.

**Maria Bee**, of Oakland, has been Chief Assistant City Attorney at the Oakland City Attorney's Office since 2018, where she served in several positions since 2014, including Special Counsel and Supervising Attorney. She was previously Chief of Victim Services in the San Francisco District Attorney's Office from 2006 to 2014,

and a Deputy City Attorney in the Oakland City Attorney's Office from 2000 to 2006. She is on the board of the Alameda County Bar Association and a member of the Charles Houston Bar Association. Commissioner Bee received a Juris Doctor degree from the University of California, Berkeley, School of Law.

**Senator Catherine Blakespear**, of Encinitas, has been a member of the Senate since 2022. She was Mayor of Encinitas from 2016 to 2022, on the Encinitas City Council from 2014 to 2016, and a Traffic Commissioner of Encinitas from 2011 to 2014. She previously worked as an associate attorney with Ray Quinney & Nebeker, as an estate planning attorney in solo practice and as a reporter for the Los Angeles Times and Associated Press. Commissioner Blakespear received a Juris Doctor degree from the University of Utah S.J. Quinney College of Law, and a bachelor's and master's degree in journalism from Northwestern University.

**David A. Carrillo**, of Berkeley, has been Executive Director of the California Constitution Center and Lecturer in Residence at the University of California, Berkeley School of Law since 2012. He was previously a Deputy Attorney General for the California Department of Justice from 2001 to 2003 and from 2007 to 2012, a Deputy City Attorney for the City and County of San Francisco from 2003 to 2007, a litigation associate in private practice from 1999 to 2001, and a Deputy District Attorney for Contra Costa County from 1995 to 1998. Commissioner Carrillo received Juris Doctor, Master of Laws, and Doctor of the Science of Jurisprudence degrees from the University of California, Berkeley School of Law.

**Ana Cubas**, of Los Angeles, has been an adjunct professor with the Los Angeles Community College District since 2017. She was previously Government Affairs Manager at Vanir Construction Management from 2016 to 2017, and Chief of Staff for District 14 of the City of Los Angeles from 2009 to 2012. She is a member of the United States Green Building Council and the California Hispanic Chambers of Commerce. Commissioner Cubas received a Master of Arts degree in Public Affairs and Urban/Regional

Planning from Princeton University, and a Master of Business Administration degree from the University of Southern California.

**Amb. (r.) David Huebner**, of Palm Springs, has been an arbitrator and mediator affiliated with JAMS since 2017. He was previously a partner at Arnold & Porter from 2014 to 2016, the U.S. Ambassador to New Zealand and the Independent State of Samoa from 2009 to 2014, a partner at Sheppard Mullin Richter & Hampton LLP from 2005 to 2009, an Adjunct Professor at the University of Southern California Gould School of Law from 1999 to 2007, and a partner at Coudert Brothers from 1992 to 2005, where he also served as Chair and CEO. Commissioner Huebner received a Juris Doctor degree from Yale Law School, and an A.B. degree, *summa cum laude*, from Princeton University.

**Cara Jenkins**, of Sacramento, was appointed Legislative Counsel for the State of California on December 7, 2020. She was previously a Deputy Legislative Counsel in the Office of Legislative Counsel from 2010 to 2020, an associate at a private law firm in Sacramento, and an intern at the Sacramento City Attorney's office and the California Department of Justice. She also serves as a member of the California Commission on Uniform State Laws. Commissioner Jenkins received a Juris Doctor degree from the University of the Pacific, McGeorge School of Law.

**Assembly Member Ash Kalra**, of San Jose, has been a member of the Assembly since 2016 and currently Chairs the Assembly Judiciary Committee. He was previously a Deputy Public Defender for Santa Clara County from 2004 to 2015 and served on the San Jose City Council for eight years. Commissioner Kalra received a Juris Doctor degree from Georgetown University.

**Victor King**, of La Crescenta, is an education law attorney at OMLO Law in Los Angeles, California. He was previously the University Legal Counsel for California State University, Los Angeles, from 2002 to 2024, a partner and associate with the law firm of Lewis Brisbois Bisgaard and Smith LLP from 1999 to 2002, an associate with the law firm of Bottum and Feliton from 1996 to

1999, and an associate with the law firm of Ochoa and Sillas from 1991 to 1995. He was also a Trustee of the Glendale Community College District from 1997 to 2009. Commissioner King received a Juris Doctor degree from the University of Michigan Law School.

**Senator Richard Roth**, of Riverside, was a member of the Senate since 2012, retiring from that position in 2024. He previously was a managing partner in the law firm of Roth Carney APC, engaged in the practice of labor and employment law with other Riverside-based firms for over 30 years, was an attorney with the National Labor Relations Board, an adjunct instructor at the University of California at Riverside's Anderson School of Management and in the University's extension division, a Legal Advisor to the Airlift/Tanker Association, and a Lawyer Representative to the Ninth Circuit Court of Appeals Judicial Conference. He has also served in the United States Air Force, and was a member of the JAG Corps, including service in the Pentagon as Mobilization Assistant to the Judge Advocate General of the U.S. Air Force, retiring with the rank of major general. He has also previously served as Chairman of the Board for the Greater Riverside Chambers of Commerce, president of the Monday Morning Group, vice-chairperson of the Parkview Community Hospital Board, and trustee of the March Field Museum. He is a member of the Raincross Club, the Riverside Community Hospital Advisory Board, the Thomas W. Wathen Foundation Board (Flabob Airport), the Riverside County Bar Association Board of Directors, the Path of Life Ministries Advisory Board, the Air Force Judge Advocate General's School Foundation Board, and the La Sierra University Foundation Board, and a past member of the Riverside Public Library Foundation Board, and the Riverside Art Museum Board. Commissioner Roth received a Juris Doctor degree from Emory University.

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