

MEMORANDUM 2025-45

New Topics and Priorities

The Commission¹ annually reviews its current program of work, determines its priorities for the next year, and decides whether to request changes to the topics on its legislatively enacted [Calendar of Topics Authorized for Study](#) (“Calendar of Topics”).²

To assist the Commission in that process, the staff prepares a *New Topics and Priorities* memorandum.

This memorandum is divided into five main parts:

- (1) **Active Studies.** These are studies the Commission is working on at the present time.
- (2) **New Legislative Assignments.** These are new assignments that were just enacted by the Legislature.
- (3) **Suspended Studies.** These are studies the Commission worked on recently but set aside prior to completion. Studies in this category may eventually be moved to the inactive studies list (see Exhibit 2), which serves to memorialize a topic that may eventually be reactivated but is unlikely to be reactivated in the near future.
- (4) **Proposed New Studies.** This part is reserved for discussion of new study topics that the Commission received in the preceding year, if any.
- (5) **Resolution of Authority.** The staff seeks approval from the Legislature for authority to study the listed topics.

The memorandum then presents a summary of the Commission’s expected workload in 2026, along with any staff recommendations for changes to the Commission’s study authority.

The memorandum concludes with a discussion of whether any studies should be elevated, demoted in priority, or dropped entirely.

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 The current Calendar of Topics is authorized by [2024 Cal. Stat. res. ch. 138](#) (ACR 169, Kalra).

In addition, the following items are attached as Exhibits to this memorandum:

<u><i>Exhibits</i></u>	<u><i>Exhibit page(s)</i></u>
1. Commission Study Authority	1
2. Inactive Study List	4
3. Carryover Suggestions from Previous Years	6
4. Letter from the California Association of School Business Officials	7

ACTIVE STUDIES

State and Local Agency Access to Customer Information from Communication Service Providers: Administrative Subpoena

In 2022, the Commission completed a recommendation on a narrow reform within this larger study: addressing the use of administrative subpoenas to obtain electronic communication records.³ Legislation to implement that recommendation was introduced in 2023⁴ but was held in Senate Appropriations later that year.⁵ The Commission decided in October 2023 to reactivate work on this study to review concerns that were raised during the legislative process.⁶ **The staff continued work on this study in 2025 and the Commission approved a staff draft final recommendation at its June 26, 2025, meeting.⁷**

In 2020, the Commission considered a separate issue within this study: minimizing interception. of privileged information when conducting a search of electronic communication records.⁸ Since that issue is distinct from the Commission's other ongoing work in this study, that issue is presented with the suspended studies later in this memorandum.

Antitrust Law

In 2022, the Commission received a new assignment on Antitrust Law.⁹ The

³ [*State and Local Agency Access to Electronic Communications: Notice of Administrative Subpoena*](#), 49 Cal. L. Revision Comm'n Reports (2022).

⁴ [AB 522](#) (Kalra, 2023).

⁵ Memorandum [2024-27](#), p. 1.

⁶ [*State and Local Agency Access to Electronic Communications: Notice of Administrative Subpoena*](#), (Preprint - June 2025)

⁷ [Minutes](#) (June 2025), p. 4.

⁸ Memoranda [2020-20](#), pp. 9-15 and [2020-54](#).

⁹ [2022 Cal. Stat. re. ch. 147](#) (ACR 95, Cunningham & Wicks).

Commission decided to treat this topic as a high priority in its 2022 New Topics and Priorities memo.¹⁰

In 2023, the Commission heard from invited speakers about different aspects of California and federal antitrust law, the European Union's Competition Law, and New York State's "Twenty-First Century Anti-Trust Act." Meanwhile, eight expert working groups were formed to write reports for the Commission about different aspects of antitrust law.¹¹ In 2024, these reports were presented to the Commission over a series of public meetings, along with comments from invited speakers and the general public.¹² Later that same year, the Commission determined to recommend broad antitrust reforms and not focus specifically on technology companies.¹³

2025 yielded significant progress: after considering staff memoranda on potential statutory changes relating to Single Firm Conduct,¹⁴ Mergers and Acquisitions,¹⁵ and Misuse of Market Power,¹⁶ the Commission directed the staff to prepare a Draft Tentative Recommendation on Single Firm Conduct for consideration at its December 4, 2025, meeting.¹⁷ Once the Commission approves the draft, with or without changes, it will be circulated for public comment for thirty days.

The staff anticipates that a staff draft final recommendation on Single Firm Conduct will be presented to the Commission in January 2026. Further, the Commission will consider draft language options on Mergers and Acquisitions at its December 4, 2025, meeting, which could result in Commission direction to staff to prepare a draft tentative recommendation for Mergers and Acquisitions. The staff anticipates that the Commission will finalize its work on Mergers and Acquisitions in early 2026. The staff will then present analysis on other issues related to the study as outlined in Memorandum [2024-46](#).¹⁸

Notably, this study was not given a due date. However, the Commission should continue to treat this as a high priority in 2026, consistent with other demands on its

¹⁰ Memorandum [2022-42](#), p. 4.

¹¹ See Memorandum [2023-16](#) for a description of the Expert Working Groups and participants.

¹² See the Commission's [Antitrust Law Study page](#) for the Working Group reports, presentations, and public comments.

¹³ [Minutes](#) (October 2024), p. 4; see also Memorandum [2024-46](#). At that meeting the Commission voted to approve the staff recommendation against technology specific antitrust laws and instead to instead ensure that any proposed antitrust language is drafted sufficiently broad and flexible enough to encompass.

¹⁴ Memorandum [2025-41](#).

¹⁵ Memorandum [2025-42](#).

¹⁶ Memorandum [2025-43](#).

¹⁷ Memorandum [2025-44](#), p. 5.

¹⁸ Pp. 23-26. At its October 2024 meeting, the Commission directed staff to staff 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. [Minutes](#) (October 2024), p. 4.

resources.

Equal Rights Amendment

In 2022, the Commission received a new assignment on the Equal Rights Amendment¹⁹ and sex equality.²⁰ The Commission also decided to treat this topic as a high priority in its 2022 New Topics and Priorities memo.²¹ In 2023, the Commission heard from several invited speakers about different aspects of equal protection principles and anti-discrimination law and considered detailed staff memoranda providing legal background about constitutional doctrines and statutes relevant to the Equal Rights Amendment and issues of sex equality generally.²²

In 2024, the Commission decided to recommend a single statutory provision defining “sex discrimination” or “discrimination on the basis of sex” to be codified in all California codes.²³ The Commission decided against amending the remaining gender-biased terms in statutes, as this is being handled by Legislative Counsel.²⁴ In 2025, the staff continued outreach to stakeholders seeking examples of laws, including case law and statutes, that facially or by virtue of their disparate impact, disadvantage individuals based on sex, but did not find any appropriate for revision at that time.²⁵

The Commission approved a staff draft final recommendation²⁶ for this study at its September 18, 2025, meeting.²⁷ Because the staff is not aware of any more work to be done on this study, the staff recommends this topic be moved to the inactive studies list.

Recodification of Toxic Substance Statutes

In 2021, the Commission approved a recommendation to recodify Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code, relating to hazardous substances.²⁸ Two bills were enacted in 2022 to implement that recommendation and the associated conforming revisions.²⁹ The Commission reactivated

¹⁹ H.J.Res. No. 208, 92nd Cong., 2d Sess. (1972) 86 Stat. 1523.

²⁰ [2022 Cal. Stat. res. ch. 150](#) (SCR 92, Leyva).

²¹ Memorandum [2022-42](#), p. 5.

²² Staff memoranda and presentations are available on the Equal Rights Amendment [study page](#).

²³ Memorandum [2024-16](#) and [Minutes](#) (May 2024), p. 5

²⁴ [Minutes](#) (May 2024), pp. 5-6.

²⁵ [Minutes](#) (January 2025), p. 5.

²⁶ [Equal Rights Amendment](#) (Preprint - September 2025).

²⁷ Memorandum [2025-44](#), p. 4.

²⁸ [Hazardous Substance Account Recodification Act](#) (Preprint - February 2021), [Hazardous Substance Account Recodification Act: Conforming Revisions](#) (Preprint - February 2021).

²⁹ [2022 Cal. Stat. ch. 257](#) (AB 2293, Committee on Environmental Safety and Toxic Materials), [2022 Cal. Stat.](#)

this work at its August 15, 2024, meeting.³⁰

The Commission is currently revising Chapter 6.5 (commencing with Section [25100](#)) of Division 20 of the Health and Safety Code.³¹ Very generally, the substantive provisions in Chapter 6.5 fall into one of two categories: (1) provisions that govern hazardous waste and (2) provisions that aim to reduce or eliminate toxics in products. However, Chapter 6.5 is not organized in a way that clearly separates these two categories of materials, and the Commission is working to clarifying the structure.

In 2025, the Commission considered several memoranda presenting draft language.³² As Chapter 6.5 is a long and complex chapter, the staff anticipates that the Commission will continue to work on this topic throughout 2026.

The staff recommends that the Commission continue work on this study in 2026 consistent with other demands on its resources.

Study on Removing the Terms “Dependent Adult” and “Dependent Person” from the California Codes

In 2024, the Commission received a new assignment on terminology relating to persons with disabilities.³³ In its findings and declarations, the Legislation states, among other things, that:

[t]he 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.

To address the concerns about the use of those terms in the codes, AB 1906 requires the Commission to conduct a study, with input from stakeholders, on how to remove the terms “dependent adult” and “dependent person” from the California code sections.

In 2025, the staff held four meetings with the working group called for by AB 1906 and has provided the Commission with status updates on its progress.³⁴ At its December 4, 2025, meeting the staff is presenting the Commission with another status update.³⁵

In 2026, the staff anticipates making further progress on the study and will likely make

[ch. 258](#) (AB 2327, Committee on Environmental Safety and Toxic Materials).

³⁰ See Memoranda [2024-36](#), [First Supplement](#) to 2024-36, and [2024-37](#).

³¹ [2018 Cal. Stat. res. Ch. 158](#) (SCR 91, Roth).

³² Memorandum 2025-49, which is on the Commission’s December 4, 2025, meeting agenda, presents the latest cumulative draft of proposed revisions considered by the Commission.

³³ [2024 Stat. ch. 233](#) (AB 1906, Gipson).

³⁴ See, e.g., Memorandum [2025-40](#).

³⁵ Memorandum 2025-51.

a staff recommendation to the Commission.

This study was also not given a due date. However, the Commission should treat this as a high priority and make as much progress as it can in 2026, consistent with other demands on its resources.

Emergency-Related Reforms

In 2022, the Commission decided to prepare an informational report on emergency-related law reform, with information about approaches taken in other jurisdictions.³⁶ This was intended to provide useful information to the Legislature and Governor without interfering in current reform efforts.

This study was put on hold when the Commission began its work on new legislative assignments at the end of 2022 (the Antitrust and Equal Rights Amendment studies). Since then, the Uniform Law Commission completed its work on the Model Public-Health Emergency Authority Act.³⁷ The Commission may want to consider the Model Act and whether emergency law continues to be an active area for legislative attention in California.

The Commission decided to reactivate this work if resources permitted in 2025.³⁸ However, resources did not permit the staff to work on this study in 2025, but the staff anticipates they may be able to in 2026 and recommends keeping this study active, consistent with other demands on its resources.

NEW LEGISLATIVE ASSIGNMENTS

As indicated in Memorandum [2025-47](#), the Legislature did not assign any new studies to the Commission in 2025.

SUSPENDED STUDIES

As a general matter, the staff anticipates that the active studies will consume much of the Commission's staff time in the coming year. As resources permit, the staff recommends prioritizing work on suspended studies that are closer to completion, that were more recently active, or had recent developments, as indicated below.

Discovery in Civil Cases

The Commission undertook a study of civil discovery in 2002, with the benefit of a

³⁶ [Minutes](#) (March 2022), p. 4 and Memorandum [2022-21](#).

³⁷ The Uniform Law Commission, [Public-Health Emergency Authority Act](#), 2023.

³⁸ [Minutes](#) (October 2024), p. 4 and Memorandum [2024-41](#), pp. 7-8.

background study prepared by Prof. Gregory Weber of McGeorge School of Law.³⁹ A number of reforms were enacted, including the Commission's recommendation on *Deposition in Out-of-State Litigation*,⁴⁰ which was enacted in 2008.⁴¹

In 2016, the Commission directed the staff to examine a discovery topic suggested by then-Commissioner Capozzola related to depositions and prepare a list of other discovery topics suggested for study.⁴² The Commission later suspended that work in light of a pending discovery-related bill (AB 383, Chau).⁴³ AB 383 authorized a court to conduct an informal discovery conference between the parties to a civil action upon request of a party or upon the court's own motion, to discuss discovery matters in dispute between the parties. After AB 383 was enacted into law with a sunset date of January 1, 2023,⁴⁴ the Commission decided to suspend its work on discovery-related issues until after the sunset of AB 383.⁴⁵ The sunset was not extended, so the Commission could now consider reactivating this study as suggested in the memorandum relating to this topic.⁴⁶ This would enable the Commission to evaluate the effectiveness of the legislation and the staff could provide the Commission with updated analyses of the other issues identified in the memorandum.

The staff recommends re-activating this topic, to the extent resources permit, so that the staff can provide the Commission with updated analyses and to determine whether the Commission should further pursue the issues presented in the previous memorandum.

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

In 2020, the Commission considered the possibility of developing a statutory procedure to minimize the interception of privileged information when searching electronic records such as email.⁴⁷ It decided to work on that topic,⁴⁸ but work was never begun.

Compared to the other active and pending studies, this topic is not particularly urgent. The staff recommends against starting work on this topic in 2026 and keeping

³⁹ Gregory S. Weber, *Potential Innovations in Civil Discovery: Lessons for California from the State and Federal Courts*, 2001.

⁴⁰ 37 Cal. L. Revision Comm'n Reports 99 (2007).

⁴¹ 2008 Cal. Stat. ch. 231 (AB 2193, Tran).

⁴² *Minutes* (Dec. 2016), p. 3 and Memorandum 2017-26, which introduced the study.

⁴³ 2017 Cal. Stat. ch. 189 (AB 383, Chau); *Minutes* (Aug. 2017), p. 7; Memorandum 2017-26, pp. 22-24.

⁴⁴ 2017 Cal. Stat. ch. 189 (AB 383, Chau).

⁴⁵ *Minutes* (Dec. 2018), p. 3.

⁴⁶ Memorandum 2017-26, p. 24.

⁴⁷ Memorandum 2020-54 and *First Supplement* to Memorandum 2020-54.

⁴⁸ *Minutes* (Oct. 2020), p. 4.

it on the suspended study list.

PROPOSED NEW STUDIES

The Commission received one new study suggestion from the California Association of School Business Officials (CASBO)⁴⁹ requesting that the Commission study the numerous reporting requirements required of local education agencies (LEAs).⁵⁰

When California enacted the Local Control Funding Formula in 2013, most categorical programs and their associated applications, plans, reports, data submissions, and compliance monitoring were eliminated. But in the 10 years since then, a surge in state and federal funding resulted in the proliferation of new programs and initiatives. Those programs were accompanied by statutorily required applications, plans, data submissions, and reports of their own. These increasing reporting requirements have been compounded by state's multiple measures accountability system, which has also resulted in additional reporting by LEAs to the state.

CASBO members embrace the concept of accountability and recognize that many of the currently required state-level reports are intended to ensure that educational programs and initiatives lead to positive achievement results for students. However, the sheer volume of the current level of reporting has increasingly taken staff time away from what otherwise would be devoted to working directly with students or providing support to ensure their academic success.⁵¹

CASBO also points to recent legislative efforts related to those requirements. In 2024, CASBO co-sponsored SB 1315 (Archuleta),⁵² which required the State Department of Education (SDE), on or before March 1, 2025, to provide a report to the Superintendent, the Governor, and the Legislature on the number and types of reports that school districts, county offices of education, and charter schools are required to annually submit. This legislation also required the report to include, among other things, the purpose of each report and recommendations for which reports can be consolidated, eliminated, or truncated. The SDE published the report with numerous recommendations, but did not

⁴⁹ According to its [website](#):

The California Association of School Business Officials (CASBO) is the Golden State's foremost authority on school business. Founded in 1928, the non-profit membership association serves 30,000+ members by promoting excellence and professionalism in all public school operations.

Through innovative education, advocacy, and professional networking programs, CASBO inspires efficient and effective leadership of California's TK-14 institutions to support the state's 6.1 million students in the 21st century and beyond.

⁵⁰ EX 7.

⁵¹ EX 7.

⁵² [2024 Cal. Stat. ch. 468](#).

include recommendations on statutory changes to address the issues.⁵³

As stated by CASBO:

The Commission's study of this issue would provide an analysis of this complex issue from a neutral perspective, arming policy makers and educational partners with the information needed to consider streamlining reporting requirements to ensure LEAs focus on supporting the academic progress of students, including by eliminating obsolete statutes, and addressing duplication.⁵⁴

The staff believes the Commission is readily equipped to study the topic suggested by CASBO. The Commission could, for example, identify all the statutes requiring local education agencies to make reports, consider whether any are outdated or obsolete, identify duplicative requirements, and identify ways in which the law could be reformed to make it less burdensome on reporting entities. The Commission's robust public comment process would allow stakeholders to provide feedback and suggestions to the Commission.⁵⁵

Currently the Commission does not have authority to study the Education Code, but could seek authority in its biennial resolution. The Commission could request that the resolution include language authorizing the specific study requested by CASBO or alternatively seek language granting the Commission general authority to study the Education Code similar to the Commission's general authority to study the Evidence Code.⁵⁶

The advantage of the latter approach is that the Commission would have authority to pursue other requests relating to the Education Code. The Education Code is long and complex, spanning over 3,000 pages and is frequently amended. It addresses education from pre-kindergarten to higher education. As one commentator, who was a former Deputy Superintendent at SDE, recently noted "Years and years of well-meaning regulations that may have made sense at the time... have created a patchwork of incoherence, too often equating oversight with accountability."⁵⁷ It is likely the Commission will identify additional areas deserving further study.

Would the Commission like to seek authority to study the topic suggested by CASBO, with language either granting specific authority to study the topic or general language authorizing the Commission to study the Education Code?

⁵³ California Department of Education, [2025 School Accountability Report](#) (March 2025); see also [2025 Cal. Stat. ch. 580](#) (SB 374, Archuleta) which extended the sunset of SB 1315 to January 1, 2027.

⁵⁴ EX 7.

⁵⁵ See, supra, note 1.

⁵⁶ See [2024 Cal. Stat. res. ch. 138](#) (ACR 169, Kalra), para. 6 which authorizes the Commission to study "Whether the Evidence Code should be revised."

⁵⁷ Rick Miller, [California's Education Code is Smothering Innovation](#), June 24, 2025, EdSource.

WORK PRIORITIES FOR 2026

The staff recommends the Commission continue work on active studies, which includes:

- Antitrust Law, [Study B-750](#).
- Recodification of Toxic Substance Statutes, [Study E-200](#)
- Terminology Relating to Persons with Disabilities, [Study I-200](#).

These topics will consume much of the Commission's staff resources in 2026. As resources permit, the Commission should also:

- Begin working on issues related to local education agency reporting in the Education Code, if approved by the Commission and granted by the Legislature.
- Begin working on the study of Emergency Related Reforms, [Study X-100](#).
- Begin working on the study of Discovery in Civil Cases, if approved by the Commission, [Study J-503](#).

In addition to the study work described above, the staff may be busy providing technical assistance on legislation associated with the Commission approved recommendations on:

- State and Local Agency Access to Electronic Communications: Notice of Administrative Subpoena, [Study G-300](#)
- Equal Rights Amendment, [Study I-100](#) Antitrust Law (anticipated),⁵⁸ [Study B-750](#)

Does the Commission approve the work priorities outlined above for 2026?

CHANGES TO STUDY AUTHORITY

Government Code Section 8293 provides for the enactment of a concurrent resolution at least once per two-year legislative session, setting out a calendar of topics that are authorized for study by the California Law Revision Commission. The Commission should seek introduction of the biennial Resolution of Authority of the Commission in 2026, as the last one was passed in 2024.⁵⁹ Senator Blakespear, who is a member of the Commission, has agreed to carry the resolution. The staff is grateful to the Senator for her assistance

The staff recommends that the new resolution reauthorize the topics authorized by the most recently enacted version of this resolution and include the additional topic relating to the Education Code, if approved by the Commission.

⁵⁸ The Commission may approve a final recommendation for the Antitrust Study relating to Single Firm Conduct that could be placed in legislation in 2026.

⁵⁹ [Stats. 2024, ch. 138](#) (ACR 169, Kalra).

Does the Commission approve the staff recommendation?

Respectfully submitted,

Sharon Reilly
Executive Director

COMMISSION STUDY AUTHORITY

There are two sources of Commission study authority: (1) the “Calendar of Topics Authorized for Study” that is enacted as a concurrent resolution at least once per two-year legislative session and (2) any statute or other concurrent resolution that authorizes or directs the Commission to study a particular topic.¹ The current authority conferred by each of those sources is listed below.

Calendar of Topics Authorized for Study

The most recent Calendar of Topics was enacted in 2024.² It grants authority to study 14 topics:

- (1) **Creditors Remedies.** 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.
- (2) **Probate Code.** Whether the 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.
- (3) **Real and Personal Property.** 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.
- (4) **Family Law.** 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.
- (5) **Civil Discovery.** Whether the law relating to discovery in civil cases should

¹ See Gov’t Code § [8293](#); see also Memorandum [2020-59](#) for a discussion of the Commission’s authority generally.

² [2024 Cal. Stat. res. ch. 138](#) (ACR 169, Kalra).

be revised.

- (6) **Evidence Code.** Whether the Evidence Code should be revised.
- (7) **Alternative Dispute Resolution.** Whether the law relating to arbitration, mediation, and other alternative dispute resolution techniques should be revised.
- (8) **Administrative Law.** Whether there should be changes to administrative law.
- (9) **Trial Court Unification.** Recommendations to be reported pertaining to statutory changes that may be necessitated by court unification.
- (10) **Contracts.** 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.
- (11) **Place of Trial in a Civil Case.** Whether the law governing the place of trial in a civil case should be revised.
- (12) **Fish and Game Code.** 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.
- (13) **Hazardous Materials.** The Legislature authorizes and requests that the California Law Revision Commission study, report on, and prepare recommended legislation to revise Chapter 6.5 (commencing with Section 25100) and Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code, and related provisions, to improve the organization and expression of the law. 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. The recommended revisions shall not make any substantive changes to the law. The commission's report shall also include a list of substantive issues that the commission identifies in the course of its work, for possible future study; and be it further
- (14) **Emergency Response.** 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 under Section 8625 of the Government Code, or a local emergency proclaimed by a local governing body or official under Section 8630 of the Government Code.

Authority Conferred by Statute or Other Concurrent Resolution

The Commission is authorized to work on the following topics by statute or other concurrent resolution (listed in reverse chronological order of enactment):

- Terminology Relating to Persons with Disabilities.³
 - Landlord-Tenant Terminology.⁴
 - Equal Rights Amendment.⁵
 - Antitrust Law.⁶
 - Revocable Transfer on Death Deeds.⁷
 - California Public Records Act.⁸
 - State and Local Agency Access to Customer Information from Communication Service Providers.⁹
 - Deadly Weapons.¹⁰
 - Trial Court Restructuring.¹¹
 - Enforcement of Judgments.¹²
 - Technical and Minor Substantive Matters.¹³
 - Statutes Repealed by Implication or Held Unconstitutional.¹⁴
-

³ [2024 Cal. Stat. ch. 233](#) (AB 1906, Gipson).

⁴ [2022 Cal. Stat. ch. 462](#) (AB 2503, Garcia).

⁵ [2022 Cal. Stat. res. ch. 150](#) (SCR 92, Leyva).

⁶ [2022 Cal. Stat. res. ch. 147](#) (ACR 95, Cunningham & Wicks).

⁷ Prob. Code § [5605](#). See also Exhibit 2.

⁸ [2016 Cal. Stat. res. ch. 150](#) (ACR 148, Chau).

⁹ [2013 Cal. Stat. res. ch. 115](#) (SCR 54, Padilla).

¹⁰ [2010 Cal. Stat. ch. 711, § 7](#) (SB 1080 Committee on Public Safety).

¹¹ Gov't Code § [71674](#).

¹² Code Civ. Proc. § [681.035](#).

¹³ Gov't Code § [8298](#).

¹⁴ Gov't Code § [8290](#).

INACTIVE STUDY LIST

This Exhibit serves to memorialize mandatory studies with remote due dates and to list topics that the Commission has expressed interest in starting or returning to, but are unlikely to be activated any time soon.

Fish and Game Law

In 2023, the Commission completed its revision of the Fish and Game Code, finalizing a recommendation in February 2023.¹⁵ Legislation implementing that recommendation was enacted in 2023.¹⁶

Remote Deadline Studies

Due: January 1, 2031 – Revocable Transfer on Death Deed Follow-Up Study

The Commission is required to conduct a second follow-up study of the revocable transfer on death deed statute, with a deadline of January 1, 2031.¹⁷ Work on that study should begin in 2029.

Landlord and Tenant Terminology

In 2024, the Commission completed its study of Landlord and Tenant Terminology in 2024, finalizing a report in October 2024.¹⁸

Topics that the Commission Might Eventually Start or Restart

The topics below are listed in reverse chronological order, either by reference to the date that work was suspended or the Commission expressed interest in studying the topic. The relevant date is shown in parentheses.

Commissioners should feel free to suggest a topic listed below be dropped from this list if it seems likely the topic will never have sufficiently high priority to be started or restarted. The staff may do so as well.

Venue in Civil Case (2007)

In 2007, the Calendar of Topics was revised at the Commission's request to add a study

¹⁵ [Fish and Game Law: Technical Revisions and Minor Substantive Improvements \(Part 3\)](#), 49 Cal. L. Revision Comm'n Reports __ (2023).

¹⁶ [2023 Cal. Stat. ch. 132](#) (AB 1760, Committee on Water, Parks, and Wildlife); see also [2023 Cal. Stat. ch. 876](#) (SB 500 (McGuire)); [First Supplement](#) to Memorandum 2023-42.

¹⁷ See Prob. Code § [5605](#).

¹⁸ [Landlord and Tenant Terminology](#) (Preprint - October 2024).

of “(w)hether the law governing the place of trial in a civil case should be revised.”¹⁹ That request was prompted by an unpublished decision in which the Second District Court of Appeal noted that Code of Civil Procedure Section 394, a venue statute, was a “mass of cumbersome phraseology,” and that there was a “need for revision and clarification of the venue statutes.”²⁰ The court of appeal was sufficiently concerned about this matter to direct its clerk to send a copy of its opinion to the Office of Legislative Counsel, which in turn alerted the Commission.

¹⁹ [2007 Cal. Stat. res. ch. 100](#) (ACR 35, Evans).

²⁰ See Memorandum [2005-29](#), Exhibit 15, p. 59.

CARRYOVER SUGGESTIONS FROM PREVIOUS YEARS

The Commission has one carryover suggestion from 2024. In Memorandum [2024-41](#)²¹ the Commission considered a suggestion to add the topic of the application of Probate Code Sections [850](#) and [17200](#) to an heir who was never a beneficiary to a trust and related clarifications.²² The Commission deferred this proposed new study for future consideration.²³

²¹ Pp. 8-9.

²² See Memorandum [2024-41](#), pp. 8-9.

²³ [Minutes](#) (October 2024), p. 4.



November 22, 2025

The Honorable Richard Simpson, Chair,
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925 L Street, Suite 275
Sacramento, CA 95814

Re: Request to add a new topic for study

Dear Chair Simpson and Honorable Commissioners:

On behalf of the California Association of School Business Officials (CASBO), representing over 30,000 school business leaders statewide, we write to request the California Law Revision Commission consider adding a new topic for study regarding reporting requirements placed on local educational agencies (LEAs) under the Education Code. This is a critical topic for LEAs, as they work to maximize available resources for students and classrooms while facing persistent resource constraints.

When California enacted the Local Control Funding Formula in 2013, most categorical programs and their associated applications, plans, reports, data submissions, and compliance monitoring were eliminated. But in the 10 years since then, a surge in state and federal funding resulted in the proliferation of new programs and initiatives. Those programs were accompanied by statutorily required applications, plans, data submissions, and reports of their own. These increasing reporting requirements have been compounded by state's multiple measures accountability system, which has also resulted in additional reporting by LEAs to the state.

CASBO members embrace the concept of accountability and recognize that many of the currently required state-level reports are intended to ensure that educational programs and initiatives lead to positive achievement results for students. However, the sheer volume of the current level of reporting has increasingly taken staff time away from what otherwise would be devoted to working directly with students or providing support to ensure their academic success.

Over the past few years, CASBO has been proactively seeking solutions to this issue, including co-sponsoring Senate Bill 1315 (Archuleta, Ch. 468, Stats. 2024),

supporting Senate Bill 374 (Archuleta, Ch. 580, Stats. 2025) and supporting research that seeks to quantify the time spent on reporting and compliance activities, and the cost of that time. The Commission's study of this issue would provide an analysis of this complex issue from a neutral perspective, arming policy makers and educational partners with the information needed to consider streamlining reporting requirements to ensure LEAs focus on supporting the academic progress of students, including by eliminating obsolete statutes, and addressing duplication.

For these reasons, we respectfully request that you add the topic of local educational agency reporting requirements to your list of issues being studied. Should you have any questions, please contact Sara Pietrowski at spietrowski@casbo.org.

Sincerely,

A handwritten signature in black ink that reads "Sara E. Pietrowski". The signature is written in a cursive, flowing style.

Sara Pietrowski
Chief Governmental Relations Officer
California Association of School Business Officials