

ASSEMBLY BILL

No. 2119

Introduced by Assembly Member Tran

February 18, 2010

An act to add Section 12c to the Code of Civil Procedure, relating to civil procedure.

LEGISLATIVE COUNSEL'S DIGEST

AB 2119, as introduced, Tran. Civil procedure: deadlines: computation.

Existing law specifies procedural rules applicable to civil litigation, including requiring the performance of specified actions to be completed within a specified number of days before a hearing.

This bill would provide that the determination of the specified number of days prior to a hearing would be determined by counting backward from the date of the scheduled hearing and would exclude the date of the hearing.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12c is added to the Code of Civil
2 Procedure, to read:
3 12c. (a) Where any law requires an act to be performed no
4 later than a specified number of days before a hearing date, the
5 last day to perform that act shall be determined by counting
6 backward from the hearing date, excluding the day of the hearing
7 as provided by Section 12.

- 1 (b) Any additional days added to the specified number of days
- 2 because of a particular method of service shall be computed by
- 3 counting backward from the day determined in accordance with
- 4 subdivision (a).

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