

ASSEMBLY BILL

No. 2328

Introduced by Assembly Member Olsen

February 24, 2012

An act to repeal Section 703.120 of the Code of Civil Procedure, and to amend Section 13332.16 of, to repeal Sections 70219 and 71674 of, and to repeal Article 2 (commencing with Section 8280) of Chapter 3.5 of Division 1 of Title 2 of, the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2328, as introduced, Olsen. State government: California Law Revision Commission.

Existing law establishes within state government the California Law Revision Commission, and sets forth its powers and duties. Existing law requires the commission to, among other things, examine the common law and statutes of the state and judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms.

This bill would eliminate the California Law Revision Commission, and would make conforming changes to related provisions.

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

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

- 1 SECTION 1. Section 703.120 of the Code of Civil Procedure
- 2 is repealed.

1 703.120.— (a) Ten years following the operative date of this
2 title and every 10 years thereafter, the California Law Revision
3 Commission shall review the exempt amounts provided in this
4 chapter and in other statutes and recommend to the Governor and
5 the Legislature any changes in exempt amounts that appear proper.

6 (b) Nothing in this section precludes the commission from
7 making recommendations concerning exempt amounts more
8 frequently than required by subdivision (a) or from making
9 recommendations concerning any other aspect of this title, and the
10 commission is authorized to maintain a continuing review of and
11 submit recommendations concerning enforcement of judgments.

12 SEC. 2. Article 2 (commencing with Section 8280) of Chapter
13 3.5 of Division 1 of Title 2 of the Government Code is repealed.

14 SEC. 3. Section 13332.16 of the Government Code is amended
15 to read:

16 13332.16. This article shall not apply to appropriations to the
17 Legislature, the Legislative Counsel Bureau, the Bureau of State
18 Audits, *or* the California Commission on Uniform State Laws, ~~or~~
19 ~~the California Law Revision Commission.~~

20 SEC. 4. Section 70219 of the Government Code is repealed.

21 70219.— On submission by the California Law Revision
22 Commission of its report to the Governor and the Legislature
23 pursuant to Resolution Chapter 102 of the Statutes of 1997
24 recommending statutory changes that may be necessitated by court
25 unification, the Judicial Council and the California Law Revision
26 Commission shall study and make recommendations to the
27 Governor and the Legislature on the issues identified in the report
28 as appropriate for future study, including consideration of the
29 experience in counties in which the courts have unified. Each
30 agency shall assume primary or joint responsibility for the studies
31 and recommendations as outlined in the report, and each agency
32 shall consult with the other in the studies and recommendations.
33 This section does not limit any authority of the Judicial Council
34 or the California Law Revision Commission to conduct studies
35 and make recommendations authorized or directed by law.

36 SEC. 5. Section 71674 of the Government Code is repealed.

37 71674.— The California Law Revision Commission shall
38 determine whether any provisions of law are obsolete as a result
39 of the enactment of this chapter, the enactment of the
40 Lockyer-Isenberg Trial Court Funding Act of 1997 (Chapter 850

1 of the Statutes of 1997), or the implementation of trial court
2 unification, and shall recommend to the Legislature any
3 amendments to remove those obsolete provisions. The commission
4 shall report its recommendations to the Legislature, including any
5 proposed statutory changes.

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