

Introduced by Senator Wyland

February 23, 2012

An act to amend Section 3338 of the Civil Code, relating to personal property.

LEGISLATIVE COUNSEL'S DIGEST

SB 1276, as introduced, Wyland. Personal property: liens.

Existing law provides that a person having a lien on personal property cannot recover damages for its conversion from a person with a right superior to his or her right, after the lien is discharged, greater than the amount secured by the lien and the compensation allowed for loss of time and expenses.

This bill would make technical, nonsubstantive changes to these provisions.

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 3338 of the Civil Code is amended to
2 read:
3 3338. ~~One~~ *A person* having a ~~mere~~ lien on personal property;
4 cannot recover greater damages for its conversion; from ~~one a~~
5 *person* having a right ~~thereto~~ superior to his *or her right*, after ~~his~~
6 *the* lien is discharged, than the amount secured by the lien; and the
7 compensation allowed by Section 3336 for loss of time and
8 expenses.

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