

County Clerk Legislative Committee Tracked Bills Tuesday, August 25, 2020

[AB 289](#) (Fong R) California Public Records Act Ombudsperson.

Introduced: 1/28/2019

Status: 7/2/2019-In committee: Set, first hearing. Failed passage. Reconsideration granted.

Location: 6/19/2019-S. JUD.

Summary: Would establish, within the California State Auditor's Office, the California Public Records Act Ombudsperson. The bill would require the California State Auditor to appoint the ombudsperson subject to certain requirements. The bill would require the ombudsperson to receive and investigate requests for review, as defined, determine whether the denials of original requests, as defined, complied with the California Public Records Act, and issue written opinions of its determination, as provided.

Organization	Position	Assigned	Subject
County Clerk	Watch	Ventura	CPRA

[AB 2165](#) (Rivas, Robert D) Electronic filing and service of documents.

Introduced: 2/11/2020

Status: 8/17/2020-From Consent Calendar. Ordered to third reading.

Location: 8/17/2020-S. THIRD READING

Summary: Current law authorizes a trial court to adopt local rules permitting electronic filing of documents, subject to specified conditions, including the conditions that if a document that is electronically filed in a civil action requires the signature of a person, not under penalty of perjury, the document is deemed to have been signed by the person who filed the document electronically and that any payment processing fee charged by the court, an electronic filing manager, or electronic filing service provider shall not exceed the costs incurred in processing the payment. Current law authorizes a court to require electronic filing and service in civil actions, subject to rules adopted by the Judicial Council permitting mandatory electronic filing and service in specified civil actions, the conditions described above, and additional specified conditions, including the conditions that the court charge fees of no more than the actual cost of the electronic filing and service of the documents and that the court shall waive any fees charged if the court deems a waiver appropriate. This bill would instead provide that a document described above shall be deemed filed by the person who signed the document if either the filer is the signer of the document or the document has been signed pursuant to procedures established in the California Rules of Court.

Organization	Position	Assigned	Subject
County Clerk		Riverside	Other

[SB 522](#) (Hertzberg D) Business entities: filings.

Introduced: 2/21/2019

Status: 8/19/2020-Read second time. Ordered to consent calendar.

Location: 8/18/2020-A. CONSENT CALENDAR

Summary: Current law, namely the General Corporation Law, the Social Purpose Corporations Act, the Nonprofit Public Benefit Corporation Law, the Nonprofit Mutual Benefit Corporation Law, the Nonprofit Religious Corporation Law, and the Cooperative Corporation Law, among other things, prohibits the Secretary of State from filing articles of incorporation that set forth a name likely to mislead the public or that is the same as, or so similar as tends to deceive, the name of specified domestic and foreign corporations, except that a corporation is authorized to adopt a name that is substantially the same as a specified existing domestic or foreign corporation, upon proof of consent by that corporation and a finding by the secretary that the public, under the circumstances, is unlikely to be misled. This bill would eliminate the above-described exception.

Organization	Position	Assigned	Subject
County Clerk		Los Angeles	Business Entities

[SB 741](#) (Galgiani D) Change of gender and sex identifier.

Introduced: 2/22/2019

Status: 8/24/2020-Read second time and amended. Ordered to second reading.

Location: 8/11/2020-A. SECOND READING

Summary: Current law authorizes a person to file a petition with the superior court seeking a judgment recognizing their change of gender to female, male, or nonbinary, including a person who is under 18 years of age. The judgment may include an order for a new birth certificate, and the new birth certificate is required to include the change of gender and any name change specified in the court order. Current law also authorizes a procedure for a person born in this state to obtain a new birth certificate directly from the State Registrar to reflect their change of gender to female, male, or nonbinary without a court order. Current law prohibits a new birth certificate issued under these provisions from indicating that it is not the original birth certificate and requires a local registrar or the

county recorder to either forward the original birth certificate to the State Registrar or seal a cover over the birth certificate, as specified. This bill would recast these provisions relating to new birth certificates to provide for a change in gender and sex identifier and to specify that a person who was issued a birth certificate by this state, rather than a person born in this state, may obtain a new birth certificate.

Organization
County Clerk

Position
Oppose

Assigned
Los Angeles

Subject
Marriage, Vital
Records

Total Measures: 4

Total Tracking Forms: 4