

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1521 (Committee on Judiciary)

Version: June 19, 2025

Hearing Date: July 1, 2025

Fiscal: Yes

Urgency: No

AM

SUBJECT

Committee on Judiciary: judiciary omnibus

DIGEST

This bill makes various noncontroversial changes to existing law, including clarifying existing law, deleting obsolete statutes, modernizing certain statutes, updating cross-references, and making various other nonsubstantive changes.

EXECUTIVE SUMMARY

This bill is the Assembly Judiciary Committee omnibus bill that makes various noncontroversial changes to existing law with the purpose of increasing efficiencies in the legislative process, conserving legislative resources, and eliminating the need to unnecessarily hear a number of technical, clarifying, or modest stand-alone bills that might otherwise have to be introduced and require individual consideration by the Legislature. The bill, among other things, provides that a petition to establish a record of birth, death, or marriage of a minor or nonminor who is alleged or adjudged to be a person that is within the jurisdiction of the juvenile court, as specified, may be made and heard in the juvenile court having jurisdiction over the minor or nonminor, and requires the court to waive the filing fee for all petitions heard in the juvenile court. The bill modernizes certain statutes by allowing teleconferencing as a means for which parties can meet and confer and extends the time for which a plaintiff in an unlawful detainer action may make or take certain actions without leave of court after service of summons on the party to whom the action is directed.

PROPOSED CHANGES TO THE LAW

Existing law and this bill would:

- 1) Requires any printed or form agreement that initially establishes, or is intended to establish, or alters the terms of any agreement that previously established a right to

compensation to be paid to a real estate licensee for the sale of residential real property containing not more than four residential units, or for the sale of a mobilehome to contained a specified notice. (Bus. & Prof. Code § 10147.5.)

This bill corrects an erroneous reference in that notice from “seller” to “buyer.”

- 2) Prohibits a person from furnishing information regarding a medical debt to a consumer credit reporting agency, requires a contract for medical debt entered into on and after July 1, 2025, to contain a specified notice stating that information, and makes a contract entered into on and after July 1, 2025 that does not include the required notice void and unenforceable. (Civ. Code § 1785.27.)

This bill clarifies that the contract referenced above is a written contract.

- 3) Establishes the Rosenthal Fair Debt Collection Practices Act and prohibits debt collectors from engaging in in unfair or deceptive acts or practices in the collection of covered commercial debts entered into, renewed, sold, or assigned on or after July 1, 2025. Defines “covered commercial debt” for these purposes.(Civ. Code §§ 1788 et. seq.)

This bill provides that covered commercial debt does not include a trade credit or a commercial financing transaction in which the recipient is a dealer as defined by Section 285 of the Vehicle Code, or an affiliate of the dealer, pursuant to a specific commercial financing offer or commercial open-end credit plan of at least fifty thousand dollars (\$50,000), including, but not limited to, a commercial loan made pursuant to that commercial financing transaction.

- 4) Prohibits, under the California Public Records Act, a person from knowingly posting the home address or telephone number of any elected or appointed official, or of the official’s residing spouse or child, on the internet knowing that person is an elected or appointed official and intending to cause imminent great bodily harm that is likely to occur or threatening to cause imminent great bodily harm to that individual, and provides that a violation is a misdemeanor, unless the violation leads to the bodily injury of the official, or their residing spouse or child, in which case the violation is a misdemeanor or a felony. (Gov. Code § 7928.210.)

This bill moves this provision into the Penal Code.

- 5) Prohibits, under the California Public Records Act, any person, business, or association from soliciting, selling, or trading on the internet the home address or telephone number of an elected or appointed official with the intent to cause imminent great bodily harm to the official or to any person residing at the official’s home address. Authorizes an official whose home address or telephone number is

solicited, sold, or traded in violation of this prohibition to bring an action in court and provides that they can received specified damages. (Gov. Code § 7928.230.)

This bill moves this provision into the Civil Code.

- 6) Requires a mortgage servicer, trustee, mortgagee, beneficiary, or authorized agent to not record a notice of default, notice of sale, or conduct a trustee's sale while a complete first lien loan modification application is pending, and until the borrower has been provided with a written determination by the mortgage servicer regarding that borrower's eligibility for the requested loan modification, if a borrower submits a complete application for a first lien loan modification offered by, or through, the borrower's mortgage servicer at least five business days before a scheduled foreclosure sale. This provision applies to a person or entity that makes and services seven or fewer loans for the purchase of residential real property in a calendar year. (Civ. Code § 2924.18(a).)

This bill makes the above requirement apply, instead, to a person who, or entity that, services seven or fewer loans encumbering residential property located in California in a calendar year.

- 7) Requires a mortgage servicer to promptly establish a single point of contact and provide a borrower one or more direct means of communication with that single point of contact when a borrower requests a foreclosure prevention alternative. This provision does not apply to a person or entity that makes and services seven or fewer loans for the purchase of residential real property in a calendar year. (Civ. Code § 2923.7.)

This bill provides, instead, that the above requirement does not apply to a person or entity that services seven or fewer loans encumbering residential property located in California in a calendar year.

- 8) Requires the mortgagee, beneficiary, or authorized agent, with respect to residential property containing no more than four dwelling units that is subject to a power of sale contained in a first lien deed of trust, to provide the trustee a fair market value of the property at least 10 days prior to the initially scheduled date of sale, and prohibits the trustee from selling the property at the initially scheduled date of sale for less than 67 percent of that fair market value of the property. (Civ. Code § 2924f.)

This bill changes references to "initial trustee's sale" and "initially scheduled date of sale" to "first sale at which a bid can be made."

- 9) Requires a meet and confer declaration in support of a motion to state facts showing a reasonable and good faith attempt at an informal resolution of each issue presented by the motion. (Code Civ. Proc. § 2016.040.)

This bill instead requires a showing of a reasonable and good faith attempt either: in person, by telephone, or by videoconference to resolve informally each issue presented by the motion.

- 10) Provides that failing to confer in person, by telephone, or by letter with an opposing party or attorney, in a reasonable and good faith attempt to resolve informally any dispute concerning discovery, constitutes a misuse of the discovery process when the section governing a particular discovery motion requires the filing of a declaration stating facts showing that an attempt at informal resolution has been made. (Code of Civ. Proc. § 2030.010.)

This bill clarifies that failing to attempt to confer as described above also constitutes a misuse of the discovery process and updates the statute to allow for conferring by videoconference instead of conferring by letter.

- 11) Authorizes a plaintiff in an unlawful detainer action or other specified proceeding to propound interrogatories to a party without leave of court at any time that is five days after service of the summons on, or appearance by, that party, whichever occurs first. (Code Civ. Proc. § 2030.020.)

This bill extends the above time to propound interrogatories 10 days after service of summons.

- 12) Authorizes a plaintiff in an unlawful detainer action or other specified proceeding to make a demand for inspection, copying, testing, or sampling without leave of court at any time that is five days after service of the summons on, or appearance by, the party to whom the demand is directed, whichever occurs first. (Code Civ. Proc. § 2031.020.)

This bill extends the above time to make a demand to 10 days after service of summons.

- 13) Authorizes a plaintiff in an unlawful detainer action or other specified proceeding to make requests for admission by a party without leave of court at any time that is five days after service of the summons on, or appearance by, that party, whichever occurs first. (Code Civ. Proc. § 2033.020.)

This bill extends the time to make a request to 10 days after service of summons.

- 14) Authorizes a verified petition to be filed by any beneficially interested person with the clerk of the superior court in and for: (a) the county in which the birth, death, or marriage is alleged to have occurred, (b) the county of residence of the person whose birth or marriage it is sought to establish, or (c) the county in which the person was domiciled at the date of death for an order to judicially establish the fact of, and the time and place of, a birth, death, or marriage that is not registered or for which a

certified copy is not obtainable. The fee for filing a petition is \$205. (Health & Saf. Code §§ 103450 & 103470.)

This bill provides that a petition to establish a record of birth, death, or marriage of a minor or nonminor who is alleged or adjudged to be a person that is within the jurisdiction of the juvenile court, as specified, may be made and heard in the juvenile court having jurisdiction over the minor or nonminor, and requires the court to waive the filing fee for all petitions heard in the juvenile court.

15) Requires that no later than 90 days after the date letters are first issued to a general personal representative, the general personal representative or estate attorney is required to give notice of the death to the Director of Health Care Services if the decedent received health care under Medi-Cal or the Waxman-Duffy Prepaid Health Plan Act or was the surviving spouse of a person who received healthcare under those programs. The Director of Health Care Services has four months after notice is given to file a claim against the estate. (Prob. Code § 9202(a).)

This bill requires that no later than 90 days after the date letters are first issued to a general personal representative, the general personal representative or estate attorney is required to give notice of the death to the Director of the California Department of Child Support Services (Director) if the general personal representative or estate attorney knows or has reason to believe the decedent had a child support obligation under an order issued by a court of competent jurisdiction. The Director has four months to assert a claim after receiving notice. This provision only applies to estates for which letters are issued on and after January 1, 2026.

Former state:

1) Prohibited a person, business, or association from publicly posting or publicly displaying on the internet the home address or telephone number of any elected or appointed official if that official has, either directly or through a designated agent, made a written demand of that person, business, or association to not disclose the official's home address or telephone number. (Gov. Code § 7928.215.) This statute was held unconstitutional under *Publius v. Boyer-Vine* (E.D. Cal. 2017) 237 F.Supp.3d 997 as a violation of the First Amendment.

This bill deletes the above statute from the California Public Records Act and makes conforming changes.

COMMENTS

1. Stated need for the bill

The author writes:

This broad measure makes modest updates to several policies falling within the Committee on the Judiciary that are insufficiently substantive to warrant a standalone bill. This bill authorizes juvenile courts to hear petitions to establish a record of birth, death, or marriage, requires notice of probate petitions be given to the California Department of Child Support Services, and makes several other minor clean-up amendments to existing law.

2. Civil law omnibus

Since this bill was heard in the Assembly Judiciary Committee, it was amended to add additional changes relating to civil law that have not been analyzed by a policy committee and, therefore, this analysis will focus on analyzing those additional changes.¹

a. Moves a criminal provision under the California Public Records Act to the Penal Code

Existing law, under the California Public Records Act (CPRA), provides that it a misdemeanor for a person to knowingly post the home address or telephone number of any elected or appointed official, or of their residing spouse or child, on the internet with the intent to cause imminent great bodily harm or threatening to cause imminent great bodily harm. (Gov. Code § § 7928.210.) A violation of this prohibition that leads to the bodily injury of the official, or the official's residing spouse or child, is a misdemeanor or a felony. This bill moves this provision out of the CPRA and instead places it in the Penal Code.

b. Clarifies that trade credit is not a covered commercial debt under the Rosenthal Fair Debt Collection Practices Act

Last year, SB 1286 (Min, Ch. 522, Stats. 2024) revised and recast the Rosenthal Fair Debt Collection Practices Act to expand the scope of the act to prohibit debt collectors from engaging in unfair or deceptive acts or practices in the collection of covered commercial debts entered into, renewed, sold, or assigned on or after July 1, 2025. This bill clarifies that trade credit is not a covered commercial debt. A trade credit is defined as an extension of credit that meets the following conditions: (1) the credit is extended by a person whose primary business is the furnishing or provision of goods, materials,

¹ See Asm. Jud. Analysis for AB 1521 (2025-26 reg. sess.), as amended April 21, 2025; Asm. Floor Analysis 1521 (2025-26 reg. sess.), as amended April 21, 2025.

equipment, or services; and (2) the credit is extended in connection with the furnishing or provision of goods materials, equipment, or services, unless the transaction is structured as “lease financing.” “Lease financing” means providing a lease for goods if the lease includes a purchase option that creates a security interest in the goods leased. (Fin. Code § 22800(j).)

c. Clarify certain obligations related to mortgage servicing and non-judicial foreclosure

Last year, SB 1146 (Wilk, Ch. 601, Stats 2024) made various changes to the statutes governing mortgage servicing and the non-judicial foreclosure process. One change made by SB 1146 was to exempt persons or entities who handle seven or fewer foreclosures a year, even if they are not licensed, from provisions that: (1) require a broker to provide a single point-of-contact for a borrower when they request a foreclosure alternative (Civ. Code § 2923.7); and (2) prohibit mortgage servicers from proceeding with the foreclosure process while a first lien loan modification application is pending (Civ. Code § 2924.18.) This bill amends those sections to clarify that only very small unlicensed lenders who make fewer than seven loans in a year in total, not just for the purchase of property, are exempt from those requirements.

3. Amendments

The author has agreed to make the following amendments to clarify certain provisions in the bill. First, the author has agreed to include a cross reference to the definition of “elected or appointed official” under the CPRA to ensure that the provisions being moved out of the CPRA and into the Civil Code and Penal Code are interpreted in the same manner as under existing law. Second, the author has agreed to include a more specific cross reference to nonminor dependent in Section 11400 of the Welfare and Institutions Code. The specific amendments are as follows:²

Amendment 1

On page 12, between lines 4 and 5, insert:

(d) “Elected or appointed official” has the same meaning as that term is defined in Section 7920.500 of the Government Code.

Amendment 2

On page 39, in line 9, after “or” insert:

Subdivision (v) of Section

² The amendments may also include technical, nonsubstantive changes recommended by the Office of Legislative Counsel.

Amendment 3

On page 39, between lines 24 and 25, insert:

(d) "Elected or appointed official" has the same meaning as that term is defined in Section 7920.500 of the Government Code.

SUPPORT

None received

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

AB 3281 (Committee on Judiciary, Ch. 853, Stats. 2024) Assembly Committee on Judiciary omnibus bill.

AB 1756 (Committee on Judiciary, Ch. 478, Stats. 2023) Assembly Committee on Judiciary omnibus bill.

AB 2960 (Committee on Judiciary, Ch. 420, Stats. 2022) Assembly Committee on Judiciary omnibus bill.

AB 1578 (Committee on Judiciary, Ch. 401, Stats. 2021) Assembly Committee on Judiciary omnibus bill.

AB 3364 (Committee on Judiciary, Ch. 36, Stats. 2020) Assembly Committee on Judiciary omnibus bill.

PRIOR VOTES

Assembly Floor (Ayes 63, Noes 0)
Assembly Appropriations Committee (Ayes 11, Noes 0)
Assembly Judiciary Committee (Ayes 9, Noes 0)
