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AB-1473 Voidable transactions: remedies: choice of law. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1473

Introduced by Assembly Member Essayli

February 21, 2025

An act to amend Section 3439.10 of the Civil Code, relating to civil law.

LEGISLATIVE COUNSEL'S DIGEST

AB 1473, as introduced, Essayli. Voidable transactions: remedies: choice of law.

Existing law, the Uniform Voidable Transactions Act, generally establishes the conditions under which a transfer made or obligation incurred by a debtor is voidable as to a creditor, and sets forth the remedies of a creditor with respect to a voidable transfer or obligation. Existing law specifies that a covered claim is governed by the local law of the jurisdiction in which the debtor is located when the transfer is made or the obligation is incurred. Existing law specifies, for purposes of these provisions, that a debtor's location, if the debtor is an individual, is the individual's principal residence.

This bill would instead provide that a debtor's location, if the debtor is an individual, is the debtor's principal residence or domicile.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 3439.10 of the Civil Code is amended to read:

3439.10. (a) In this section, the following rules determine a debtor's location:

- (1) A debtor who is an individual is located at the individual's principal ~~residence.~~ *residence or domicile.*
- (2) A debtor that is an organization and has only one place of business is located at its place of business.
- (3) A debtor that is an organization and has more than one place of business is located at its chief executive office.

(b) A claim in the nature of a claim under this chapter is governed by the local law of the jurisdiction in which the debtor is located when the transfer is made or the obligation is incurred.

