ULC PROJECT LIST
Active Drafting and Study Committees as of June 2020

Uniform Law Commission
111 N. Wabash Ave., Suite 1010
Chicago, IL 60602
(312) 450-6600
www.uniformlaws.org
Drafting Committees

- **Collection and Use of Personally Identifiable Data**
  This committee is drafting a uniform or model law addressing the collection and use of personally identifiable data, including provisions governing the sharing, storage, security, and control of the personal data of others. The collection and use of personal data are important features of our modern economy but raise significant issues of privacy and control. A uniform or model act on this subject would serve as a comprehensive legal framework for the treatment of data privacy.  
  *This committee first met in spring 2020. The committee’s work is available [here](#).*

- **Common Interest Ownership Act and the Uniform Condominium Act**
  This drafting committee will develop revisions to the Uniform Common Interest Ownership Act (UCIOA) and the Uniform Condominium Act (UCA). UCIOA deals comprehensively with the complex issues posed in condominiums, cooperatives, and planned communities – the three forms of real estate ownership in which multiple persons each own a separate parcel of real estate, and all those persons collectively own other parcels of real estate in common. The ULC has devoted substantial resources for more than 50 years to the regulation of these forms of shared real estate ownership and has a significant interest in making sure that both UCIOA and UCA are kept up to date.  
  *This committee first met in spring 2020. The committee’s work is available [here](#).*

- **Conflict of Laws in Trusts and Estates**
  This committee will draft a uniform or model law to address the problems of conflict of laws in trusts and estates. The committee will address trusts, wills, will substitutes, intestacy, estate administration, fiduciary powers and duties, powers of appointments, powers of attorneys, jurisdictional claims, and statutes of limitations.  
  *This committee was appointed in March 2020 and has not yet met.*

- **Disposition of Community Property Rights at Death Act**
  This committee is revising the Uniform Disposition of Community Property Rights at Death Act, originally approved in 1971 and adopted in 16 states. The act provides rules for disposing of a decedent’s property, originally acquired as community property, when the decedent’s estate is probated in a non-community property state. This act is intended to be enacted only in non-community property states.  
  *This committee first met in fall 2019. The committee’s work is available [here](#).*

- **Easement Relocation**
  This committee is drafting a uniform law addressing the circumstances and conditions under which a non-utility easement may be relocated by the servient landowner over the objection of the easement holder when that relocation would be beneficial to the servient estate and have little or no effect on the easement holder.  
  *The committee is expected to present a draft for final approval in July 2020. The committee’s work is available [here](#).*

- **Economic Rights of Unmarried Cohabitants**
The rate of nonmarital cohabitation within the U.S. is increasing, but there is no consistent approach among the states to addressing how economic rights are affected when cohabitants break up or when one cohabitant dies; courts handle cases on a case-by-case basis. This committee is drafting a uniform or model law addressing the economic rights of unmarried cohabitants. This drafting committee first met in spring 2019. The committee’s work is posted here.

- **Fundraising through Public Appeals**
  This committee is drafting a uniform law or model act to regulate the management of donated funds raised through crowdfunding efforts. Issues being addressed include responsibility for application of funds to the intended purpose and the permitted uses for excess funds raised. This committee first met in spring 2018. The committee’s work is available here.

- **Pretrial Release and Detention**
  Money bail is one of the tools used by courts to ensure that a person accused of committing a crime will return to court for trial and is common in most places throughout the United States. Methods of implementing money bail through state law or court rule vary greatly across the country, contributing to inequality in the U.S. criminal justice system. The drafting committee is developing state legislation addressing the use of alternatives to money bail in the criminal justice system. This drafting committee is expected to present a draft for final approval in July 2020. The committee’s work is posted here.

- **Public Expression Protection**
  This committee is drafting a uniform act seeking to address abusive lawsuits targeted against defendants for exercising their constitutional rights to publish and speak freely, petition the government, and associate with others. The drafting committee is addressing topics such as the limitations to be imposed after a motion to strike is made; the standard of review relating to the motion to strike; appeal rights from the grant or denial of a motion to strike; and whether the court should award attorney’s fees and costs. This committee is expected to present a draft for final approval in July 2020. The committee’s work is available here.

- **Registration and Licensing of Direct-to-Consumer Sales of Wine and Prevention of Illegal Sales**
  This committee is drafting a uniform or model act addressing registration and licensing of the direct sale of wine to consumers and the prevention of illegal sales. Currently more than 40 states permit direct-to-consumer (DTC) sales of wine, though few existing DTC statutes adequately address compliance with other registration, reporting, or tax requirements, and most existing statutes do not adequately address sales to persons who are prohibited from purchasing alcohol. This committee first met in spring 2020. The committee’s work is available here.

- **Unregulated Transfers of Adopted Children**
  Unregulated transfers of adopted children occur when adoptive families give their child to another person outside of the courts and the child welfare system, typically using a power of attorney. Without specific regulations directed at this occurrence, a transfer of custody of an adopted child might go unnoticed within the child welfare system. This committee is drafting a uniform or model law addressing the transfer of adopted children and is considering whether the act should apply to all children. This drafting committee first met in fall 2018. The committee’s work is posted here.
**Study Committees**

- **Choice of Law and Choice of Court Clauses**
  The committee will study the need for and feasibility of drafting a set of uniform laws on choice of law and choice of court clauses in international business transactions. *This committee was appointed in March 2020.*

- **Covenants not to Compete**
  This committee will study the need for and feasibility of a uniform or model law governing covenants not to compete in employment and related contexts. *This committee is expected to present a final report in July 2020.*

- **Default Judgments in Debt Collection**
  This committee is studying the need for and feasibility of state legislation on default judgments in debt collection cases brought by third party debt collectors and debt buyers. Significant changes in debt collection practices in recent years have resulted in dramatic growth in the industry, which in turn has placed considerable pressure on court dockets and raised concerns about fairness to debtors. *This committee started its work in fall 2019.*

- **Fines and Fees**
  This committee is studying the need for and feasibility of a uniform or model addressing the impact of fines and fees on people of limited means. The impact of fines and fees on those with means can be a mere inconvenience, but for the poor and working poor who are unable to pay, those same fines and fees can be devastating, resulting in thousands of dollars of debt and functioning as a poverty trap. The committee is considering three major areas that might be addressed in a uniform or model law: (1) suspension of driving privileges because of unpaid fines and fees even when unrelated to public safety; (2) fines and fees imposed on juveniles and their parents in the juvenile justice system; and (3) fines and fees imposed without consideration of ability to pay because of adult criminal offenses. *This started its work in fall 2019.*

- **Health Care Decisions Act**
  The committee will study the need for and feasibility of Amending or Revising the Uniform Health Care Decisions Act (UHCHA). The UHCHA was originally promulgated in 1993 and has been enacted in eight states. The key issues in the UHCHA warranting possible revisions are the priority list of those who can act as surrogate; identification of residual surrogates; provision for oral appointment; lack of domestic partnerships, civil unions, or co-habitants in the surrogate list; disqualification of surrogates; scope of surrogate decisions; and decision-making by mature minors. *This committee was appointed in March 2020.*

- **Jury Selection and Service**
  This committee is studying the need for and feasibility of updating the Uniform Jury Selection and Service Act, originally promulgated in 1970 and adopted in eight states. The committee is considering whether a revision of the act should address representation in jury pools, costs for jury operations, and treatment of citizens during jury service. *This committee is expected to present a final report in July 2020.*
• **Mitigation of Public Health Emergency Disruptions**  
  This committee will study the need for and feasibility of one or more uniform state laws  
  providing special rules and procedures to mitigate the impact of an epidemic, pandemic, or other  
  public health emergency on the operation of businesses. The committee will consider such topics  
  as non-liquidating receiverships, business interruption insurance, and the application of force  
  majeure and impossibility doctrines. *This committee was appointed in April 2020 and will report  
  to the Scope and Program Committee by July 7, 2020, as to whether one or more acts in any of  
  these areas would be merited.*

• **Name, Image, and Likeness Issues for College Athletes**  
  This committee will study the need for and feasibility of state legislation addressing the rights of  
  college athletes to earn money from their name, image, or likeness without affecting the student’s  
  scholarship eligibility. *This committee was appointed in March 2020 and is expected to submit a  
  final report in July 2020.*

• **Online Sales Tax Collection, Study Committee on**  
  This committee will study the need for and feasibility of state legislation on state taxation of online  
  sales and collection of taxes in the wake of the Supreme Court decision in *South Dakota v. Wayfair*,  
  which held that that the correct standard to determine the constitutionality of a state tax law is  
  whether the tax applies to an activity that has “substantial nexus” with the taxing state.  
  *This committee was appointed in March 2020.*

• **Public Health Emergency Authorities**  
  This committee will study the need for and feasibility of one or more uniform state laws  
  addressing the authority of state governments to respond to epidemics, pandemics, and other  
  public health emergencies. The committee will consider such topics as quarantines, business  
  closures, collective purchasing mechanisms, and rules for medical practice.  
  *This committee was appointed in April 2020 and will report to the Scope and Program Committee by July 7, 2020, as to whether one or more acts in any of these areas would be merited.*

• **Special Deposits**  
  This committee is studying the need for and feasibility of state legislation on special deposits. A  
  special deposit resembles a prefunded letter of credit with three parties: a funder, a bank, and a  
  beneficiary. The bank pays the beneficiary if a specified condition occurs. If the specified condition  
  does not occur, the special deposit reverts to the funder. A special deposit is not assignable and is  
  not subject to legal process. The law of special deposits has not developed much since the 1930s,  
  and the committee is considering whether a uniform or model act on special deposits could provide  
  greater clarity in this area.  
  *This committee started its work in spring 2020.*

• **State Governance During Public Health Emergencies**  
  This committee will study the need for and feasibility of one or more uniform state laws addressing  
  the operation of state government during public health emergencies. The committee will consider  
  such topics as temporary suspension of laws through executive action and the use of remote  
  meetings.  
  *This committee was appointed in April 2020 and will report to the Scope and Program Committee by July 7, 2020, as to whether one or more acts in any of these areas would be merited.*
• **Supply Chain Transparency**
  The committee will study the need for and feasibility of state legislation dealing with transparency in the context of international supply chains. The committee will determine if state legislation to address the existence of child labor, forced labor, human trafficking, and modern slavery in global supply chains (including within the U.S.) is desirable and feasible. The committee will consider different potential legislative options to prevent these human rights abuses, including: (1) disclosure and transparency laws such as those in existing state legislation; (b) laws requiring companies to engage in supply chain due diligence to address human rights impact more generally; or (c) procurement legislation that would link the receipt of state or local contracts to a company’s actions. The committee will specifically consider the issue of what types of businesses might be addressed in such legislation, keeping in mind the special considerations for small and medium-sized enterprises. *This committee was appointed in March 2020.*

• **Telehealth**
  The committee is studying the need for and feasibility of state legislation on telehealth, focusing on the formation of the doctor-patient relationship, corporate practice of telemedicine, and broader emerging issues of telehealth including mobile devices and artificial intelligence. *This committee is expected to present a final report in July 2020.*

• **Tenancy in Common Ownership Default Rules**
  The committee will study the need for and feasibility of state legislation to resolve problems arising under current common law tenancy-in-common ownership default rules. The committee will study the need for and feasibility of an act that would permit a threshold percentage of owners to convert their ownership from tenancy-in-common ownership to a more durable entity form of ownership, such as an LLC – as contrasted with existing law, where such a determination would require unanimity among the co-owners. *This committee was appointed in March 2020.*

• **Third-Party Funding of Litigation**
  This committee is studying the need for and feasibility of a uniform or model law governing third-party funding of litigation and arbitration. Third-party funding, in its traditional form, is a non-recourse loan from the funder to a party in arbitration or litigation in return for a contingent right to receive a portion of the potential proceeds of a settlement, judgment, award, or verdict obtained for a legal claim. Within the last decade, the picture has become more complex. New forms of funding include portfolio financing of large numbers of cases at a law firm or corporation, equity investment products that finance litigation in exchange for shares in a company, and crowdfunding. Current state legislation on third-party funding varies in terms of the issues addressed and the policy solutions provided. *This committee is expected to present a final report in 2020.*

• **Uniform Commercial Code and Emerging Technologies**
  This committee, formed jointly with members from the American Law Institute and the Uniform Law Commission, is reviewing the Uniform Commercial Code with a view to recommending or possibly drafting amendments to accommodate emerging technological developments. The committee will consider, among other technologies, distributed ledger technology, virtual currency, and other digital assets. *This committee started its work in fall 2019.*