



August 31, 2020

The Honorable Gavin Newsom, Governor
California State Capitol
Sacramento, CA 95814

RE: AB 3254 (Limón) – REQUEST FOR SIGNATURE

Dear Governor Newsom:

The organizations represented in this letter respectfully request your signature on Assembly Bill 3254 (Limón). AB 3254 will provide significant anti-fraud consumer protections by requiring that non-English speaking cosigners who do not have a disinterested interpreter be given a copy of the contract in the language that they speak.

AB 3254 has enjoyed bipartisan support and has had no opposition.

CLICC, the sponsor of the bill, is a statewide coalition of legal aid providers that strives to ensure that all people, regardless of their income or background, have opportunities under the law to achieve their full potential and to have their voices heard.

According to the last census, 44.1% of California households speak a language other than English in the home, and the 2020 census is likely to show an even larger percentage. AB 3254 will help close a loophole in current law by protecting those non-English speaking Californians who are responsible for co-signing contracts.

Existing law, Civil Code § 1632, was enacted in 1976 to increase protections for non-English speaking consumers. If a person negotiates a contract in Spanish, Chinese, Tagalog, Vietnamese, or Korean, they must receive a copy of the contract in the language in which they negotiated. For example, if a consumer negotiates a lease contract in Spanish, they must receive a copy of the lease in Spanish. This law was enacted so that when a contract is negotiated in another language, the consumer cannot be given a contract with different terms in English.

When a physical contract is only provided in English, the co-signer is not able to read the terms of the contract themselves and is more likely to be a victim of fraud. The primary signer can tell them what the terms are, but there is no way for the co-signer to confirm those terms. The co-signer then has all of the liability with no knowledge of what they have agreed to. Under AB 3254, if a cosigner speaks Spanish, Chinese, Tagalog, Vietnamese, or Korean, they will be given a contract in that language, unless they

supply their own disinterested interpreter. The protections in this bill would address both individuals and small businesses, which may rely on personal credit or a non-business partner to cosign agreements that are subject to Civil Code § 1632.

These protections are integral to protecting many non-English speakers from fraud, misrepresentation, and the resulting lasting harm to their credit, which can have a snowball effect on their long-term housing and job prospects. The protections in AB 3254 would also benefit California's business owners, as they strive to conduct business in a fair and straightforward manner without unfair competition from less scrupulous rivals.

For these reasons, CLICC and the other organizations below are proud to support AB 3254 and urge the Governor to sign the bill. If you have any questions about the bill, please contact Dani Kando-Kaiser at dani@corbinandkaiser.com.

Sincerely,

California Low Income-Consumer Coalition, Ted Mermin, Director – Sponsor
Justice & Diversity Center of the Bar Association of San Francisco, Desiree Nguyen-Orth,
Supervising Attorney
Bet Tzedek, Jenna Miara, Directing Attorney
Centro Legal de la Raza, Carolina Martin Ramos, Director of Advocacy
Community Legal Services in East Palo Alto, Katrina Logan, Director, Economic
Advancement Program
East Bay Community Law Center, Sharon Djemal, Director, Consumer Justice Center
Elder Law & Advocacy, Jaime Levine, Supervising Staff Attorney
Legal Aid of Marin, Lucie Hollingsworth, Senior Staff Attorney
Legal Society of San Bernardino, Michael White, Supervising Staff Attorney
Public Counsel, Stephanie Carroll, Senior Staff Attorney
Public Law Center, Leigh Ferrin, Director of Litigation and Pro Bono
Riverside Legal Aid, Ernie Reguly, Staff Attorney

cc: The Honorable Monique Limón