

Date of Hearing: March 23, 2022

ASSEMBLY COMMITTEE ON COMMUNICATIONS AND CONVEYANCE

Sharon Quirk-Silva, Chair

AB 2066 (Seyarto) – As Introduced February 14, 2022

SUBJECT: Communication: telegraph corporations, telegraphy, and telegrams

SUMMARY: This bill strikes references to the terms “telegraph” or “telegram” in various statutes in various code sections of law. This bill also updates various statutes to include gender-neutral language.

EXISTING LAW:

- 1) Defines a “telegraph line” as including, includes all infrastructure owned, controlled, operated, or managed in connection with or to facilitate communication by telegraph. (Public Utilities Code § 235)
- 2) Defines a “public utility” as including telegraph corporations.(Public Utilities Code § 216(a))
 - a. Defines a “telegraph corporation” as including every corporation or person, owning, controlling, operating, and managing any telegraph line for compensation within the State. (Public Utilities Code § 236)
- 3) Provides that public utilities are subject to the jurisdiction, control, and regulation of the California Public Utilities Commission. (Public Utilities Code 216 (b))
- 4) Makes reference to the terms “telegraph” and “telegram” in various code sections of law including the Business and Professions Code, Civil Code, Code of Civil Procedure, Corporations Code, Education Code, Food and Agricultural Code, Government Code, Health and Safety Code, Insurance Code, Labor Code, Military and Veterans Code, Penal Code, Public Contract Code, Public Resources Code, Public Utilities Code, Revenue and Taxation Code, Streets and Highways Code, Water Code, and Welfare and Institutions Code.
- 5) Makes reference to gendered language and pronouns, such as “he/his” or “her/hers”.

FISCAL EFFECT: Unknown.

COMMENTS:

- 1) *History of telegraphs and telegrams.* The electric telegraph was one of the first telecommunications technologies of the industrial age. In 1843, the US Government financed the construction of the first telegraphic communication line between Washington D.C. and Baltimore. The telegraph operated by transmitting coded electrical signals over a wire laid between stations; those electronic messages were known as telegrams. Through the late nineteenth century telegraph service expanded throughout the nation, with the first transcontinental telegraph line completed in 1861. The use of the telegraph flourished into the early twentieth century, however the proliferation of telephone service began to make telegraphs obsolete. In the United States telegraph service has ceased since 2006, when the last remaining company shut down its telegraph operations. At the time, it was reported that only about 20,000 telegrams were sent in the previous year.

- 2) *Maintenance of the codes.* Given that telegraphs networks are no longer operational and therefore telegrams cannot be sent, the use of those terms in statute is outdated and obsolete. This bill proposes to strike references to the terms telegraph and telegram in various statutes across different code sections of law. Although there is little risk of harm in keeping the terms in statute, striking the terms would contribute to the maintenance of the codes.
- 3) *Gender neutral language.* As a corollary to the changes in existing law referencing outdated terms such telegraph and telegram, this bill also proposes to update existing law to reflect gender-neutral language. Pursuant to ACR 260 (2017-18) (Chapter 190 of the Statutes of 2018), the Legislature is encouraged to engage in a coordinated effort to revise existing statutes and introduce new legislation with inclusive language by using gender-neutral pronouns or reusing nouns to avoid the use of gendered pronouns. The changes to gendered language in this bill are consistent with the resolution.
- 4) *Author's amendments.* The author has submitted substantive amendments (RN 22010731) to the committee to address concerns raised by the Department of Insurance. The amendments would address potential statutory interpretation issues in the Insurance Code and revise additional sections of existing law to reflect gender neutral language. Although keyed as substantive by the Legislative Counsel, the amendments are consistent with the narrow intention of the bill to simply provide maintenance of the codes.

REGISTERED SUPPORT / OPPOSITION:**Support**

None on file

Opposition

None on file

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