

**MIDYEAR MEETING
OF THE COMMITTEE ON SCOPE AND PROGRAM**

UNIFORM LAW COMMISSION

**Friday, January 13, 2017
Point Clear, Alabama**

Minutes

The meeting of the Committee on Scope and Program was convened at 8:00 am on Friday, January 13, 2017, at the Marriott Grand Resort, in Point Clear, Alabama, by Chair Carl Lisman. Committee members Effie Cozart, Gail Hagerty, Thomas Hemmendinger, Ed Smith, Elisa White, Steve Wilborn, and Steven Willborn were present. Also present were Richard T. Cassidy, President; Anita Ramasastry, Chair of the Executive Committee; and Harriet Lansing, Immediate Past President. Staff members present included Liza Karsai, Executive Director; Katie Robinson, Legislative Program Director and Communications Officer; Ben Orzeske, Chief Counsel, and Elizabeth Cotton-Murphy, Chief Administrative Officer. Attending for portions of the meeting via conference phone was Committee member Ryan Leonard and Commissioner Mark Glaser, and attending for a portion of the meeting was Commissioner Kathy Patchel.

Chair Lisman welcomed the committee and discussed the agenda for the meeting. Pending minor corrections to the July 2016 Scope minutes, a motion was made and approved accepting the minutes of the Scope and Program Committee meetings held July 9, July 10, and July 11, 2016.

Study Committee Reports

- Study Committee on **Harmonization of the Law of Canada, Caribbean Nations and the U.S. on Registration of Foreign Judgments**
(Kathy Patchel, Chair) – Scope Liaison Steve Wilborn

Commissioner Patchel reported on the progress of this study committee. The Committee had contacted individuals in the Caribbean that might be interested in this project, but broad participation was never attained. Because there seems to be a better possibility for completing a project which concentrates only on the registration of foreign judgments between the U.S. and Canada, the committee recommends that a drafting committee be appointed to draft an act jointly with the Uniform Law Conference of Canada. The Committee recommends that a joint drafting committee with regard to registration of foreign judgments between the U.S. and Canada be established.

After discussion, the Committee on Scope and Program recommended that a drafting committee be appointed.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Joint Drafting Committee consisting of members of the Uniform Law Conference of Canada and the Uniform Law Commission be appointed to Harmonize the Law between Canadian and U.S. Jurisdictions regarding Registration of Final and Conclusive Foreign Money Judgments originating in Either Country (enforceable in the jurisdiction of origin) where recognition is sought in a jurisdiction in the other country, which are not already excluded from the coverage of the Canadian Uniform Foreign Country Money Judgments Recognition Act or the Uniform Enforcement of Foreign Judgments Act, be formed.

On January 14, 2017, the Executive Committee approved this resolution.

- Study Committee on **State Regulation of Driverless Cars**
(Pam Bertani, Chair) Scope Liaison Ryan Leonard

Commissioner Leonard reported on the progress of this study committee. In 2016, the committee engaged Professor Bryant Walker Smith as the committee's reporter, who brings to the committee extensive expertise on the subject. The committee recommends the establishment of a Drafting Committee for an Act on Highly Automated Vehicles (HAVs), and that the drafting committee's charge primarily include the deployment of HAVs.

After discussion, the Committee on Scope and Program recommended that a drafting committee be appointed.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Drafting Committee on Highly Automated Vehicles be formed to address definitions and scope, registration and title, and liability.

On January 14, 2017, the Executive Committee approved this amended resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Drafting Committee on Highly Automated Vehicles be formed, with the direction that the committee prepare an outline of definitions and scope and registration and title issues, to be delivered to the Executive Committee for its consideration at the annual meeting in July 2017.

- Study Committee on **Bad Faith Patent Demand Letters**
(Dan Robbins, Chair) Scope Liaison Tom Hemmendinger

Commissioner Hemmendinger reported on the progress of this study committee. The committee has been monitoring a number of federal bills, as well as the development of state

law. Recently, the committee reviewed the recently-released FTC (Federal Trade Commission) Study on Patent Assertion Entities. The FTC study is a multi-year examination of patent assertion entities – the FTC intends to use this information to examine how PAEs do business, and to develop a better understanding of how they impact innovation and competition.

The study committee has reviewed the problem with PAEs, the issues involved in federal preemption, the interface with the Petitioning Clause, the FTC report on PAEs, and the current existence of state legislation. There are a number of reasons why the committee ultimately concluded that no drafting committee should be formed. First, there are now 32 states with patent demand letter laws. Second, there was no consensus about the need for a uniform act among the stakeholders. Third, it seems that there is a limited use of these laws. And finally, the FTS report suggests that demand letters are not the main problem, and instead recommends other substantive and procedural patent law changes that are outside the ULC’s jurisdiction.

After a final call of the Committee in December 2016, the study committee concluded that the ULC should not undertake the drafting of a uniform act on the topic of bad faith patent demand letters, and further recommends that the study committee be discharged.

After discussion, the Committee on Scope and Program recommended that the study committee be discharged.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that the Study Committee on Bad Faith Patent Demand Letters be discharged with a letter of thanks to the committee.

On January 14, 2017, the Executive Committee approved this resolution.

- Study Committee on **Declarations of Quarantine**
(Elisa White, Chair) Scope Liaison Effie Cozart

Commissioner White submitted a written report on the progress of this study committee. The committee requests that it be continued.

The report of the committee was accepted, and the Committee on Scope and Program determined that the study committee be continued.

- Study Committee on **Regulation of Drones**
(Paul Kurtz, Chair, Mark Glaser, Vice Chair) Scope Liaison Tom Hemmendinger

Commissioner Glaser reported on the progress of this study committee. The committee has met numerous times via conference call, and the committee recommended in July 2016 that a drafting committee be established. At that time, Scope requested that the study committee focus on “tort issues” and return to Scope with an updated, final recommendation. The study committee again recommends the appointment of a drafting committee to draft an act covering

such topics as: (1) acquisition of private information of another by improper means, (2) disclosure or use of private information obtained by improper means without consent, (3) trespass by drone, (4) nuisance by drone, (5) emotional distress by drone, (6) physical harm by drone. The committee requests that a drafting committee be approved

After discussion, the Committee on Scope and Program recommended that a drafting committee be appointed.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Drafting Committee Regarding the Unique Aspects of Drones under Tort Law be formed.

On January 14, 2017, the Executive Committee approved this resolution.

- Study Committee on **Identity Management in Electronic Commerce**
(Henry Gabriel, Chair, Pat Fry, Vice Chair) Scope Liaison Steve Willborn

Commissioner Gabriel submitted a written report on the progress of this study committee. The committee requests that it be continued.

The report of the committee was accepted, and the Committee on Scope and Program determined that the study committee be continued.

- Study Committee on **Event Data Recorders in Cars**
(Steve Wilborn, Acting Chair) Scope Liaison Steve Wilborn

Commissioner Wilborn submitted a written report on the progress of this study committee. The committee requests that it be continued.

The report of the committee was accepted, and the Committee on Scope and Program determined that the study committee be continued.

- Study Committee on **Trust Management of Funds Raised through Crowdfunding**
(Terry Care, Chair) Scope Liaison Ryan Leonard

Commissioner Care submitted a written report on the progress of this study committee. The committee requests that it be continued.

The report of the committee was accepted, and the Committee on Scope and Program determined that the study committee be continued.

- Study Committee to Amend **Revised Uniform Law on Notarial Acts**
(Pat Fry and Ray Pepe, Co-Chairs) Scope Liaison Elisa White

Commissioner Fry submitted a written report on the progress of this study committee. The committee requests that it be continued.

The report of the committee was accepted, and the Committee on Scope and Program determined that the study committee be continued.

- Study Committee on **Installment Land Contracts**
(Dale Higer, Chair) Scope Liaison Carl Lisman

Commissioner Higer submitted a written report on the progress of this study committee. The committee requests that it be continued.

The report of the committee was accepted, and the Committee on Scope and Program determined that the study committee be continued.

- Study Committee on **Anti-SLAPP Legislation**
(Lane Shetterly, Chair) Scope Liaison Steve Willborn

Commissioner Shetterly submitted a written report on the progress of this study committee. The committee requests that it be continued.

The report of the committee was accepted, and the Committee on Scope and Program determined that the study committee be continued.

Joint Editorial Board Written Reports and Recommendations

- **JEB – Uniform Family Law**
(Barbara Atwood, Chair) – Scope Liaison Gail Hagerty

Commissioner Hagerty reported on the recommendations from the JEB. The first recommendation is a proposal to appoint a study committee on the economic rights of unmarried cohabitants. This is a joint proposal with the JEB/Uniform Trust and Estate Acts. A uniform state law may be helpful, in light of the record number of unmarried cohabitants, the continuing decline in marriage, and the need for greater clarity and predictability in the law governing cohabitants' economic rights, both at separation and upon death.

After discussion, the Committee on Scope and Program recommended that a study committee be appointed.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a study committee be formed to study the need for and feasibility of state legislation on economic rights of unmarried cohabitants.

On January 14, 2017, the Executive Committee approved this resolution.

The second recommendation from the JEB is a proposal to appoint a study committee to research the laws in the various states governing the provision of financial support for young adults in foster care who have attained majority age, as well as federal laws that provide funding. The purpose of the study committee would be to determine the efficacy of a uniform law to address the financial support that is funded by states for youth services and foster care.

At its 2015 annual meeting and its 2016 midyear meeting, the Scope and Program Committee had referred this proposal back to Mr. James Bristol, who had originally submitted the proposal, with request that Mr. Bristol provide further information on the current status of state law on the subject, and to reach out to relevant experts, and report back any findings. Mr. Bristol did not provide Scope with any further information. The proposal was also referred to the JEB/Uniform Family Law, which supports the appointment of a study committee.

After discussion, the Committee on Scope and Program concluded to take no action at this time.

- **JEB – Uniform Trust and Estate Acts**
(Tom Gallanis, Executive Director) – Scope Liaison Steven Willborn

Commissioner Willborn reported on the recommendations from the JEB. The first recommendation is a proposal to appoint a drafting committee to Revise the Uniform Disposition of Community Property Rights at Death Act. This Act, promulgated in 1971, aims to define the property rights of spouses who move from a community property state to a separate-property state. Many provisions of the current act are now out of date.

After discussion, the Committee on Scope and Program recommended that a drafting committee be appointed.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Drafting Committee to Revise the Uniform Disposition of Community Property Rights at Death Act be formed, to address implications of domestic partners, what property constitutes community property, burdens of proof, and the scope of the duties of a personal representative.

On January 14, 2017, the Executive Committee did not approve this resolution. Instead, the Executive Committee deferred action; the JEB/UTEA may renew the recommendation if and when the JEB thinks it is appropriate.

The second recommendation from the JEB is a proposal to appoint a drafting committee for a Uniform Estates and Future Interests Act. In its Restatement Third of Property, the ALI approved a simplified system of present estates and future interests, repudiated outmoded rules

of future interest law, and addressed questions of construction that arise in connection with present estates and future interests. The Restatement could provide the template for a uniform act on estates and future interests for a drafting committee.

After discussion, the Committee on Scope and Program recommended that a drafting committee be appointed.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Drafting Committee to Consider Simplification and Codification of Future Interests be formed.

On January 14, 2017, the Executive Committee did not approve this resolution. Instead, the Executive Committee deferred action; the JEB/UTEA may renew the recommendation if and when the JEB thinks it is appropriate.

The third recommendation from the JEB is a proposal to appoint a drafting committee for an Electronic Wills Act. States are beginning to grapple with the validity of electronic wills, and it is expected that a number of states will introduced such legislation in 2017.

After discussion, the Committee on Scope and Program recommended that a drafting committee be appointed.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Drafting Committee on Electronic Wills be formed.

On January 14, 2017, the Executive Committee approved this resolution.

- **JEB – Uniform Real Property Acts**
(Wilson Freyermuth, Executive Director) – Scope Liaison Carl Lisman.

Commissioner Lisman reported on the recommendations from the JEB. The first recommendation is to appoint a study committee to evaluate the need for amendments to the Uniform Conservation Easement Act. The UCEA was promulgated in 1981 and has been enacted in 25 states. The objective of UCEA was to provide the legal infrastructure needed to create durable easements for conservation or historic preservation purposes, in particular to facilitate the ability of donors to obtain tax benefits under applicable tax laws for imposing such easements. While the UCEA has been relatively successful, it may be possible to promote further enactments of UCEA with amendments that would update the act.

After discussion, the Committee on Scope and Program recommended that a study committee be appointed.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a study committee be formed to study the need for and feasibility of amending the Uniform Conservation Easement Act.

On January 14, 2017, the Executive Committee approved this resolution.

The second recommendation from the JEB is a proposal to appoint a study committee on easement relocation.

After discussion, the Committee on Scope and Program recommended that a study committee be appointed.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a study committee be formed to study the need for and feasibility of state legislation on easement relocation.

On January 14, 2017, the Executive Committee did not approve this resolution. Instead, the Executive Committee deferred action, pending consultation with members of prior Study Committee on Relocation of Easements. The JEB/URPA may renew the recommendation if and when the JEB thinks it is appropriate.

- **JEB – International Law**
(Michael Houghton, Co-Chair) – Scope Liaison Elisa White

There was no proposal from the JEB, and the report of the JEB was accepted.

- **JEB – Unincorporated Organization Acts**
(Daniel Kleinberger, Director of Research) – Scope Liaison Tom Hemmendinger

There was no proposal from the JEB, and the report of the JEB was accepted.

- **PEB – Uniform Commercial Code**
(Neil Cohen, Director of Research) – Scope Liaison Ed Smith

There was no proposal from the PEB, and no new report of the PEB to be considered.

Monitoring Committees Reports and Recommendations

- **Committee to Monitor Civil Litigation and Dispute Resolution**
(Mike Getty, Chair) – Scope Liaison Steve Wilborn

There was no proposal from the Committee to Monitor Civil Litigation and Dispute Resolution, and no new report of the Committee to be considered.

- **Committee to Monitor Healthcare Law**
(Elisa White, Chair) – Scope Liaison Elisa White

There was no proposal from the Committee to Monitor Healthcare Law, and the report of the Committee was accepted.

- **Technology Committee**
(Tom Buiteweg, Chair) – Scope Liaison Tom Hemmendinger

There was no proposal from the Technology Committee. The Committee reported back on the proposal for study committee on use of blockchain technology which had been forwarded to the committee from Scope and Program. At its meeting on October 10, 2016, the Technology Committee did not recommend the appointment of a study committee at this time. Instead, the committee recommends that it continue to monitor developments in this area, and particularly monitor this topic as it applies to other ULC projects.

- **Committee on Criminal Justice Reform**
(Gail Hagerty, Chair) – Scope Liaison Gail Hagerty

There was no proposal from the Committee on Criminal Justice Reform, and the report of the Committee was accepted.

New or Pending Proposals

- **Forced Marriage**
(Commissioner Carl Lisman) Scope Liaison Effie Cozart

Commissioner Lisman reported on this proposal to address the issue of forced marriage. There are very few laws and policies in the U.S. that are specifically designed to help forced marriage victims, leaving individuals facing forced marriages with few resources and options. Although some states have statutes that criminalize forcing someone into marriage in certain circumstances, these laws seem designed for other purposes than to prevent parents from forcing their children into marriage.

This proposal was originally considered by Scope at its 2016 midyear meeting. At that time, the Committee on Scope and Program referred the proposal to the Joint Editorial Board for Uniform Family Law for further review, particularly in regard to the issue of recognition of marriage, with the request that the JEB report back its findings to Scope. The JEB reviewed the proposal and recommends no action at this time. The Committee on Scope and Program had also recommended that the proposal be referred to the Criminal Justice Reform Committee for further review on criminality of this conduct.

After discussion, the Committee on Scope and Program concluded to take no action at this time.

- **Mobile Payments**

(Commissioner Fred Miller) Scope Liaison Ed Smith

Commissioner Smith reported on this report which addresses the growing use of mobile payments, and the potential state regulation of mobile payments. Mobile payments allow customers to make online and point-of-sale purchases, pay bills, and send or receive money by accessing a website via the browser on a smartphone, sending a text message from the phone, or using a downloaded app. It has become a viable option for consumers without bank accounts to make transactions and manage their funds. The technology could also offer a more convenient and sometimes cheaper way for all Americans to manage their money. According to research by the Pew Center on the States, use of mobile payments in the U.S. is projected to grow at a 22 percent compound annual growth rate through 2019, potentially offering a more convenient and possibly cheaper way for all Americans to manage their money. Many mobile or alternative payments companies are currently being licensed and regulated differently in different jurisdictions.

After discussion, the Committee on Scope and Program concluded to take no action at this time.

- **Use of Blockchain Technology**

(Commissioner Fred Miller) Scope Liaison Tom Hemmendinger

Commissioner Hemmendinger reported on this report which addresses the use of blockchain technology. Blockchain is the technology behind bitcoin and other virtual currencies. It creates a so-called distributed ledger, which maintains a complete history of all participants' transactions – a history that is verified and recorded across a network of computers spread around the world. It is possible that all financial transactions would reside on a public distributed ledger, so that everyone, including regulators, would be in a better position to see dangerous exposures.

After discussion, the Committee on Scope and Program recommended that the ULC Committee on Technology continue to monitor this topic, particularly with regard to which ULC acts might be implicated with the use of blockchain, and if necessary, consult with relevant experts.

- **Telehealth Regulation**

(Interstate Collaboration in Healthcare Group) Scope Liaison Elisa White

Commissioner White reported on this proposal to address the growing use of telehealth. Telehealth, or telemedicine, is the practice of using technology to practice medicine via electronic means. The Federation of State Medical Boards is currently working on this topic, and has drafted an Interstate Medical Licensure Compact adopting new guidelines for the

practice of telemedicine. The proposal had been referred to the ULC Committee to Monitor Developments in Health Law for its review and consideration.

This proposal will remain on the Scope agenda pending a report from the Committee to Monitor Developments in Health Law.

- **Solicitation of Funds for Charities**
(Commissioner King Burnett) Scope Liaison Effie Cozart

Commissioner Cozart reported on this proposal to address the solicitation of funds by charities and reporting requirements. While the Model Protection of Charitable Assets Act articulates and confirms the role of the state Attorney General in protecting charitable assets, it did not substantively address reporting requirements.

This proposal was originally considered by Scope at its 2016 annual meeting. At that time, the Committee on Scope and Program requested that Commissioner Burnett, with the assistance of ULC staff, further research the status of state law on the subject, and report back to the committee with updated information. The requested additional information has been provided.

After discussion, the Committee on Scope and Program concluded to take no action at this time.

- **Abuse of Sale of Structured Settlements**
(Commissioner Mike Cramer) Scope Liaison Gail Hagerty

Commissioner Hagerty reported on this proposal to study the need for regulating the sale of structured settlements. Traditional settlements are paid in one immediate lump sum. But structured agreements often deliver monthly payments across decades to protect vulnerable or other recipients from immediately spending the money. According to the Washington Post, since 1975 insurance companies have committed an estimated \$350 billion to structured settlements. This has given rise to a secondary market in which dozens of firms compete to purchase the rights to these payments for a fraction of their face value.

This proposal was originally considered by Scope at its 2016 annual meeting. At that time, the Committee on Scope and Program requested that ULC staff further research the topic and report back to the committee with updated information. The requested additional information has been provided.

After discussion, the Committee on Scope and Program concluded to take no action at this time.

- **Plastic Bags Ban**
(Commissioner Lyle Hillyard) Scope Liaison Gail Hagerty

Commissioner Hagerty reported on this proposal to study the need for state legislation to ban or restrict the use of plastic bags. Single-use bags, particularly plastic bags, create economic and environmental problems for state and local governments. Many of those governments have either attempted to or have actually passed legislation to address these problems, but as a result have created a patchwork of laws that are difficult for retailers, consumer, and manufactures to navigate. Uniform state legislation that addresses these single use bags has the potential to remedy not only the problems created by the current patchwork of laws, but also the economic and environmental problems caused by the bags themselves.

This proposal was originally considered by Scope at its 2016 annual meeting. At that time, the Committee on Scope and Program requested that ULC staff further research the topic and report back to the committee with updated information. The requested additional information has been provided.

After discussion, the Committee on Scope and Program concluded to take no action at this time.

- **Bank Garnishment**
(Commissioners Jack Davies and Anne McGihon) Scope Liaison Ryan Leonard

There was no material for the Scope committee to consider. After discussion, the Committee on Scope and Program concluded to take no action at this time.

- **Juvenile Sentencing**
(James Dold, Campaign for Fair Sentencing of Youth) Scope Liaison Ed Smith

Commissioner Smith reported on this proposal to study the issue of juvenile sentencing reform in the United States. In light of emerging juvenile brain and behavioral development science, the U.S. Supreme Court has weighed in four times over the past decade on the constitutionality of extreme sentences – including the death penalty and life without parole – for children.

After discussion, the Committee on Scope and Program referred the proposal to the Criminal Justice Reform Committee for further review, with the request that the Criminal Justice Reform Committee report back its findings at the July 2017 meeting of the Scope and Program Committee.

Potential Future Projects

The following topics were discussed and evaluated by Scope to determine if Scope should recommend further research or review on the particular topic.

- **Right of Publicity Statute**
(Commissioner Harvey Perlman) Scope Liaison Steve Willborn

Commissioner Willborn reported on this proposal to consider state law on right of publicity. The right of publicity, a common law tort, addresses the rights of celebrities and other to control the commercial use of their names and likenesses. While some 20 states have adopted statutes, there is no uniformity among the statutes or between the statutes and common law.

After discussion, the Committee on Scope and Program recommended that a study committee be appointed.

The Committee on Scope and Program approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a study committee be formed to study the need for and feasibility of state legislation on a right of publicity statute, which would protect the rights of celebrities and others to control commercial use of their names and likenesses.

On January 14, 2017, the Executive Committee approved this resolution.

- **Secondary Market for Life Settlements**
(Commissioner David Clark) Scope Liaison Elisa White

There was no material for the Scope committee to consider. This proposal will remain on the agenda for the next meeting of Scope pending a report or further information from Commissioner Clark.

After discussion, the Committee on Scope and Program requests that Commissioner Clark, with the assistance of ULC staff, research the topic and report back to Scope at its July 2017 meeting.

- **Driver's License Restrictions**
(Shawn Borgealt) Scope Liaison Effie Cozart

Commissioner Cozart reported on this proposal to study the need for state legislation to provide a uniform standard of law between the states regarding driver's license restrictions and penalties in relation to DUI offenses.

After discussion, the Committee on Scope and Program requests that the Criminal Justice Reform Committee forward the proposal to the Council of State Governments' Interstate Compact Center.

- **Anti-War Profiteering**
(Philip Maloof) Scope Liaison Ed Smith

Commissioner Smith reported on this proposal to study the need for state legislation to make war profiteering a criminal offense.

After discussion, the Committee on Scope and Program concluded to take no action at this time.

- **Manufacturer's installed passwords on household smart devices**
(Commissioner Carl Lisman) Scope Liaison Carl Lisman

Commissioner Lisman reported on this proposal to study the need for state legislation to regulate the use of internet-enabled devices with preset passwords.

After discussion, the Committee on Scope and Program referred the proposal to the ULC Committee on Technology for further review.

Other Business

- **Drafting Committee to Amend the Uniform Parentage Act**
(Jamie Pedersen, Chair)

Commissioner Pedersen reported on this request on behalf of the Drafting Committee to Revise the Uniform Parentage Act that the committee's charge be expanded so that the committee can include de facto parents as legal parents under the Act.

After discussion, the Committee on Scope and Program accepted the recommendation from the Drafting Committee, and approved the following resolution:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that the charge for the Drafting Committee to Revise the Uniform Parentage Act be expanded so that the Act addresses de facto parents as legal parents.

On January 14, 2017, the Executive Committee approved this resolution.

Discussion Items

- **21st Century Policing Initiatives**

Executive Director Karsai provided an update on a recent meeting she attended with Rich Cassidy, Anita Ramasastry, Gail Hagerty, Carl Lisman, and Daniel Ivey-Soto, at the White House to discuss the President's 21st Century Policing Initiatives. The final report contained a number of recommendations and action items that may align with the ULC's work.

After discussion, the Committee on Scope and Program referred the recommendations to the Criminal Justice Reform Committee for further review.

- **Law on Privacy**

Chair Lisman discussed the growing number of current ULC projects that have related privacy issues. The committee reviewed the memo by ULF Fellow Mary Shelly, and then discussed whether there should be a way to track such issues in a more institutionalized manner.

After discussion, the Committee on Scope and Program recommends that ULF Fellow Shelly consider a more structured way to consider this issue, including whether some uniform definitions and principles on privacy to use in all future acts that address privacy concerns should be drafted. Further discussion on the topic is deferred pending new information or recommendations.

- **Uniform and Model Acts: Amended vs. Revised**

Chair Lisman led a discussion of when a ULC act should be amended, and when it should be revised, and the substantive difference between the two, if any. The committee reviewed the memo prepared by Katie Robinson. Further discussion on the topic is deferred pending new information or recommendations.

Having no further business, the Committee on Scope and Program was adjourned at 4:00 pm.