

Assembly Bill No. 1981

Passed the Assembly August 19, 2008

Chief Clerk of the Assembly

Passed the Senate August 14, 2008

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2008, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act relating to surplus property.

LEGISLATIVE COUNSEL'S DIGEST

AB 1981, Huff. Surplus property: Chino Valley Unified School District.

Existing law authorizes a school district to enter into a joint-use agreement with another governmental entity that includes some or all of the territory of the district, for specified purposes.

Existing law vests the Department of General Services with certain duties with respect to the disposition of certain state property that has been transferred to local agencies under specified conditions.

This bill would authorize the Chino Valley Unified School District to transfer specified surplus property owned by the school district to the City of Chino Hills, in the County of San Bernardino, upon payment to the district by the city and the execution of an agreement between the school district and the city for development of the property into a park. This bill would require the district to remit a specified sum to the State Allocation Board. This bill further would require the property to revert to the state if the use of the property changes to a use that is not consistent with parks and recreation purposes, unless specified conditions are met.

This bill would state findings and declarations of the Legislature regarding the need for special legislation.

The people of the State of California do enact as follows:

SECTION 1. (a) The Chino Valley Unified School District may transfer surplus property owned by the school district, located adjacent to Chaparral Elementary School and bordered by Pomona Rincon Road and Bird Farm Road, to the City of Chino Hills, in the County of San Bernardino, pursuant to this section.

(b) The property may be transferred to the city upon payment to the district by the city in an amount specified by the school district, and the execution of an agreement between the school district and the city for development of the property into a park.

The Chino Valley Unified School District shall remit to the State Allocation Board the greater of the following:

(1) Fifty percent of the amount realized from the sale of the property.

(2) An amount equal to the apportionment for site acquisition provided by the State Allocation Board pursuant to Section 17072.12 of the Education Code adjusted to the pro rata share of the property being sold by the district.

Revenues received by the Chino Valley Unified School District as a result of this property transfer shall be deposited into the capital outlay fund of the school district. Notwithstanding any other provision of law, the deed or other instrument of transfer shall provide that the property shall revert to the state if the use of the property changes to a use not consistent with parks and recreation purposes.

(c) The property was purchased by the Chino Valley Unified School District from the state at less than fair market value, pursuant to subdivision (k) of Section 11011.1 of the Government Code, with a reversion to the state if the property is not used for school purposes. If the conditions of subdivision (b) are met, then the use of the property shall be deemed to be for school purposes and shall not be subject to reversion to the state because of its use for parks and recreation purposes.

(d) The Chino Valley Unified School District is not eligible to receive an apportionment of funds that are derived from the sale of state general obligation bonds for a project involving the property transferred pursuant to this section.

SEC. 2. Due to the unique circumstances concerning the Chino Valley Unified School District and the City of Chino Hills, the Legislature finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution. Therefore, this act is necessarily applicable only to the Chino Valley Unified School District and the City of Chino Hills.

Approved _____, 2008

Governor