

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1131

Introduced by Assembly Member Lara

February 18, 2011

An act to amend Section 14666.8 of the Government Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 1131, as amended, Lara. Telecommunications: location of mobile telephony service facilities on state-owned real ~~property~~. *property: reporting requirements.*

Existing law requires the Director of General Services to compile and maintain an inventory of state-owned real property, excluding certain property, that may be available for lease to providers of wireless telecommunications services for location of wireless telecommunications facilities, and to provide a requesting party, upon payment of any applicable fee, with a copy of the inventory. *Existing law also authorizes the director to negotiate and enter into an agreement to lease department-managed and state-owned real property to a provider of wireless telecommunications services for location of its facilities.*

~~This bill would make a technical, nonsubstantive revision to that requirement.~~

This bill would require the director to submit to the Legislature, by March 31, 3012, a report on actions taken by the director regarding the above provisions. The bill would require the report to include recommendations on how the above provisions can be improved to better effectuate its purposes.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

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

1 SECTION 1. Section 14666.8 of the Government Code is
2 amended to read:
3 14666.8. (a) The director shall compile and maintain an
4 inventory of state-owned real property that may be available for
5 lease to providers of wireless telecommunications services for
6 location of wireless telecommunications facilities. This inventory
7 shall be the state’s sole inventory of state-owned real property
8 available for this purpose. The term “state-owned real property,”
9 as used in this section, excludes property owned or managed by
10 the Department of Transportation and property subject to Section
11 7901 of the Public Utilities Code.
12 (b) The director shall provide, in a cost-effective manner, upon
13 payment of any applicable fee, a requesting party a copy of the
14 inventory.
15 (c) On behalf of the state, the director may negotiate and enter
16 into an agreement to lease department-managed and state-owned
17 real property to any provider of wireless telecommunications
18 services for location of its facilities. A lease for this purpose shall
19 do all of the following:
20 (1) Provide for fair market value to be paid by the provider of
21 wireless telecommunications service to the state to the extent
22 permitted under existing state law.
23 (2) Designate a lease term that is acceptable to the director and
24 the state agency that has control over the property. The duration
25 of the initial lease term for any wireless facility may not exceed
26 10 years, and the lease may provide for a negotiated number of
27 renewal terms, not to exceed five years for each term.
28 (3) Provide for the use of the wireless provider’s facilities
29 located on the state-owned real property by any appropriate state
30 agency if technically, legally, aesthetically, and economically
31 feasible.
32 (4) Facilitate, to the greatest extent possible, agreements among
33 providers of wireless telecommunications services for colocation
34 of their facilities on state-owned real property.

1 (d) (1) No later than March 31, 2012, the director shall submit
2 a report to the Legislature on the status of actions taken by the
3 director pursuant to this section. The report shall include, but not
4 be limited to, recommendations on how the provisions of this
5 section can be improved to better effectuate its purposes.

6 (2) The requirement for submitting a report imposed under this
7 subdivision is inoperative on March 31, 2017, pursuant to Section
8 10231.5.

9 (3) A report submitted pursuant to this subdivision shall be
10 submitted in compliance with Section 9795.

11 ~~(d)~~

12 (e) Nothing in this section alters any existing rights of telegraph
13 or telephone corporations pursuant to Section 7901 of the Public
14 Utilities Code.

15 ~~(e)~~

16 (f) Notwithstanding any other provision of law, any revenue
17 collected from a lease entered into pursuant to this section to use
18 property that was acquired with money from a fund other than the
19 General Fund shall be deposited into the fund from which the
20 money was obtained. Money received and deposited into a fund
21 pursuant to this section shall be available upon appropriation by
22 the Legislature, notwithstanding any other provision of law.

23 ~~(f)~~

24 (g) Before making any state-owned real property that is part of
25 the State Water Resources Development System, as described in
26 Section 12931 of the Water Code, available for leasing under this
27 section, the director shall consult with the Department of Water
28 Resources as to whether the proposed location of a wireless
29 telecommunication facility is technically, legally, environmentally,
30 and economically feasible for wireless telecommunication
31 purposes.