

ASSEMBLY BILL

No. 308

Introduced by Assembly Member Hagman

February 12, 2013

An act to amend Section 857 of the Public Utilities Code, relating to utility property.

LEGISLATIVE COUNSEL'S DIGEST

AB 308, as introduced, Hagman. Utility right-of-way: lease for park purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities. Existing law authorizes a public utility to lease real property acquired for purposes of obtaining a utility right-of-way to a governmental entity for purposes of a public park if the utility retains the use of the right-of-way for public utility purposes, as prescribed.

This bill would make a technical, nonsubstantive change to provision.

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

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

1 SECTION 1. Section 857 of the Public Utilities Code is
2 amended to read:
3 857. (a) A public utility that owns real property acquired for
4 purposes of obtaining a utility right-of-way, may lease that property
5 to a governmental entity for purposes of a public park, if the *public*
6 utility retains the use of the right-of-way for public utility purposes.

1 (b) In determining whether a lease of real property to a
2 governmental entity for park purposes is for fair value, the
3 commission shall include the community benefits of parks and
4 open space as a benefit to ratepayers.

5 (c) As used in this section, “community benefits” include, but
6 are not limited to, improving public health, protecting the
7 environment, and increasing recreational assets.

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