

Introduced by Senator AndersonFebruary 22, 2013

An act to amend Sections 1260, 1261, 1262, 1264, and 1266 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

SB 725, as introduced, Anderson. Veterans buildings and memorials: county and city property: veterans service organizations: retrofit and remodel.

Under existing law, a county may not revoke the dedication of specified facilities to a veterans' association, so long as the veterans' association has not violated the terms and conditions of the dedication, unless it dedicates substitute facilities or unless the veterans' organization has either consented to the proposed county action or has abandoned its use of the facilities.

This bill would extend this law to cities and a city and county. This bill would also provide that a property is not considered abandoned if the veterans service organization is required to move from the property in order for the property to undergo seismic retrofitting or remodeling, and that the veterans service organization is to be allowed to return to its previous space in the property upon completion of any retrofit or remodeling.

This bill would make technical, nonsubstantive changes to change references to veterans' association to veterans service organization.

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 1260 of the Military and Veterans Code
2 is amended to read:

3 1260. As used in this chapter, unless the context otherwise
4 indicates:

5 (a) "Political subdivision" means any city, county, district, or
6 other local governmental agency.

7 (b) "Governing body" means the board of supervisors in the
8 case of a county, or the city council or board of trustees or other
9 governing board in the case of a city, district, or other local
10 governmental agency.

11 (c) ~~"Veterans' association"~~ "*Veterans service organization*"
12 means any association or organization which is composed solely
13 of persons who served honorably in time of war or in time of peace
14 in a campaign or expedition for service in which a medal has been
15 authorized by the government of the United States, as members
16 of the ~~armed forces~~ *Armed Forces* of the United States, or who as
17 citizens of the United States served honorably in time of war as
18 members of the armed forces of any nation whose government
19 was allied with the United States during that war, and which is
20 organized for patriotic, fraternal, and benevolent objects.

21 SEC. 2. Section 1261 of the Military and Veterans Code is
22 amended to read:

23 1261. Any political subdivision may lease any lot or building
24 or part thereof belonging to it and not required for public use, for
25 not exceeding ~~twenty~~ 20 years, or may acquire and lease or
26 sublease any lot or building or part thereof for not exceeding ~~twenty~~
27 20 years, to a ~~veterans' association~~ *veterans service organization*
28 organized in such political subdivision, to be used for the purposes
29 of such ~~veterans' association~~ *veterans service organization*. The
30 rental shall be fixed by the governing body of the political
31 subdivisions, and may be nominal in amount.

32 SEC. 3. Section 1262 of the Military and Veterans Code is
33 amended to read:

34 1262. Any county may provide, maintain, or provide and
35 maintain buildings, memorial halls, meeting places, memorial
36 parks, or recreation centers for the use or benefit of one or more
37 ~~veterans' associations~~ *veterans service organizations*. For these
38 purposes the board of supervisors of any county may:

1 (a) Purchase, receive by donation, condemn, lease, or acquire
2 real or personal property necessary for such buildings, memorial
3 parks, or recreation centers, and improve, preserve, manage, and
4 control the same.

5 (b) Purchase, construct, lease, furnish, or repair such buildings,
6 and provide custodians, employees, attendants, and supplies for
7 the proper maintenance thereof.

8 (c) Clear, grade, plant, irrigate, fence, and improve such
9 memorial parks, or recreation centers, and provide custodians,
10 employees, attendants, and supplies for the proper maintenance
11 thereof.

12 (d) Furnish sites for such buildings to be built by or for such
13 organizations, and furnish sites for the erection thereon of such
14 buildings, the funds for which are supplied by county authorities
15 or from other sources. Any part or portion of any public lot, block,
16 or park may be used for such purpose.

17 (e) Levy a special tax pursuant to Article 3.5 (commencing with
18 Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of
19 the Government Code, and spend the proceeds for the purposes of
20 this chapter.

21 (f) Establish a fund for the purposes hereof, and transfer from
22 the General Fund to such fund such moneys as the board deems
23 necessary.

24 (g) Incur, in the manner provided by law, a bonded indebtedness
25 on behalf of the county for any of the purposes hereof.

26 (h) Join with any incorporated city in the county in the
27 accomplishment of the above purposes and to that end hold jointly
28 with such city all property acquired, and expended money in
29 conjunction with such city in accomplishing the above purposes.
30 Title to any property jointly so acquired by a county and a city
31 may at any time be conveyed by either of the joint owners to the
32 other without consideration other than to carry out the purposes
33 of this section.

34 (i) Join with memorial districts in the purchase, acquisition, or
35 construction of memorial halls, assembly halls, buildings or
36 meeting places, or in the accomplishment of any other purpose for
37 which a memorial district has been organized, using the funds
38 authorized to be raised by this section. Title to any property so
39 purchased, acquired, or constructed may be taken in the name of
40 the memorial district, or jointly with the county, or the county may

1 convey any property so acquired, purchased, or constructed to the
 2 memorial district without consideration to the county. The board
 3 of supervisors may transfer to a memorial district funds raised
 4 pursuant to this section to be expended by the district in furtherance
 5 of the purposes of the district under terms and conditions consistent
 6 with the purposes for which the funds were raised.

7 SEC. 4. Section 1264 of the Military and Veterans Code is
 8 amended to read:

9 1264. The governing body maintaining any facilities
 10 constructed or maintained pursuant to this chapter may provide
 11 for the use of such facilities by persons or organizations other than
 12 veterans, either free of charge or for stated compensation to aid in
 13 defraying the cost of maintenance, for any purpose not inconsistent
 14 with the continued use pursuant to this chapter, when such use will
 15 not unduly interfere with the reasonable use of the facilities by
 16 ~~veterans' associations~~ *veterans service organizations*.

17 SEC. 5. Section 1266 of the Military and Veterans Code is
 18 amended to read:

19 1266. (a) ~~Whenever a county city, county, or city and county~~
 20 ~~has provided, maintained, or provided and maintained any building,~~
 21 ~~memorial hall, meeting place, memorial park, or recreation center~~
 22 ~~for the use or benefit of one or more veterans' associations~~ *veterans*
 23 *service organizations*, pursuant to Section 1262, the provision of
 24 that facility and its acceptance by the ~~veterans' association~~ *veterans*
 25 *service organizations* constitutes a dedication of that property to
 26 a public purpose, and the ~~county city, county, or city and county~~
 27 ~~may not revoke the dedication, so long as the veterans' association~~
 28 ~~has~~ *veterans service organizations have* not violated the terms and
 29 conditions of the dedication, unless it dedicates substitute facilities
 30 or unless the ~~veterans' organization~~ *has veterans service*
 31 *organizations have* either consented to the proposed ~~county city,~~
 32 ~~county, or city and county~~ action or ~~has~~ *have* abandoned its use of
 33 the facilities.

34 (b) *For purposes of subdivision (a), a property shall not be*
 35 *considered abandoned if the veterans service organization is*
 36 *required to move from the property in order for the property to*
 37 *undergo seismic retrofitting or remodeling. Upon completion of*
 38 *any retrofit or remodeling, the veterans service organization shall*
 39 *be allowed to return to its previous space in the property.*

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