

AMENDED IN SENATE MAY 14, 2013

AMENDED IN SENATE MAY 1, 2013

**SENATE BILL**

**No. 725**

---

---

**Introduced by Senator Anderson**

February 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 amended, 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 association or 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 association or 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 association or 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" or "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 of the United States, or who as citizens of  
17 the United States served honorably in time of war as members of  
18 the armed forces of any nation whose government was allied with  
19 the United States during that war, and which is organized for  
20 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 20 years, or may acquire and lease or sublease any  
26 lot or building or part thereof for not exceeding 20 years, to a  
27 veterans association or veterans service organization organized in  
28 such political subdivision, to be used for the purposes of such  
29 veterans service organization. The rental shall be fixed by the  
30 governing body of the political subdivisions, and may be nominal  
31 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

1 parks, or recreation centers for the use or benefit of one or more  
2 veterans associations or veterans service organizations. For these  
3 purposes the board of supervisors of any county may:

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

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

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

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

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

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

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

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

37 (i) Join with memorial districts in the purchase, acquisition, or  
38 construction of memorial halls, assembly halls, buildings or  
39 meeting places, or in the accomplishment of any other purpose for  
40 which a memorial district has been organized, using the funds

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

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

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

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

22 1266. (a) Whenever a city, county, or city and county has  
23 provided, maintained, or provided and maintained any building,  
24 memorial hall, meeting place, memorial park, or recreation center  
25 for the use or benefit of one or more veterans associations or  
26 veterans service organizations, pursuant to Section 1262 or *Section*  
27 *37461 of the Government Code*, the provision of that facility and  
28 its acceptance by the veterans associations or veterans service  
29 organizations constitutes a dedication of that property to a public  
30 purpose, and the city, county, or city and county may not revoke  
31 the dedication, so long as the veterans associations or veterans  
32 service organizations have not violated the terms and conditions  
33 of the dedication, unless it dedicates substitute facilities or unless  
34 the veterans associations or veterans service organizations have  
35 either consented to the proposed city, county, or city and county  
36 action or have abandoned use of the facilities.

37 (b) For purposes of subdivision (a), a property shall not be  
38 considered abandoned if the veterans association or veterans service  
39 organization is required to move from the property in order for the  
40 property to undergo seismic retrofitting or remodeling. Upon

1 completion of any retrofit or remodeling, the veterans association  
2 or veterans service organization shall be allowed to return to its  
3 previous space in the property.

4 *SEC. 6. The Legislature finds and declares that uniformly*  
5 *enforcing veterans organizations' rights to use facilities dedicated*  
6 *pursuant to Section 1266 of the Military and Veterans Code is a*  
7 *matter of statewide concern, and not a municipal affair, as that*  
8 *term is used in Section 5 of Article XI of the California*  
9 *Constitution.*

O