

AMENDED IN ASSEMBLY JUNE 17, 2015

AMENDED IN ASSEMBLY JUNE 3, 2015

AMENDED IN ASSEMBLY MAY 11, 2015

AMENDED IN ASSEMBLY MAY 4, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1405**

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**Introduced by Assembly Member Grove  
(Coauthors: Assembly Members Achadjian, Baker, Chávez, Lackey,  
Mayes, Olsen, Mark Stone, Waldron, and Wilk)**

February 27, 2015

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An act to add Section 14670.09 to the Government Code, and to add Section 4474.9 to the Welfare and Institutions Code, relating to developmental services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1405, as amended, Grove. Developmental centers: closure.

Existing law vests in the State Department of Developmental Services jurisdiction over state ~~hospitals~~ *hospitals*, referred to as developmental ~~centers~~ *centers*, for the provision of residential care to individuals with developmental disabilities. Existing law requires the State Department of Developmental Services to comply with procedural requirements when closing a developmental center, including submitting a detailed plan to the Legislature and holding at least one public hearing. Under existing law, the department allocates funds to private nonprofit entities known as regional centers, which are required to provide, or arrange

for the provision of, services and supports for persons with developmental disabilities.

This bill would require the department to close the Sonoma Developmental Center no later than December 31, 2018, and the Fairview Developmental Center no later than December 31, 2021. *The bill would require the department to submit a plan, as specified, to the Legislature prior to the closure of the Sonoma Developmental Center or the Fairview Developmental Center.*

Existing law requires the Director of General Services to lease specified property located at the Sonoma Developmental Center only for an agricultural or open-space purpose consistent with specified requirements. Existing provisions of the California Constitution, approved by the voters at the November 4, 2014, statewide general election, establish the Budget Stabilization Account in the General Fund and require the Controller, commencing with the 2015–16 fiscal year and each fiscal year thereafter, to transfer from the General Fund to the account a specified percentage of estimated General Fund revenues.

The bill would additionally require the director to lease all or part of the parcels at the Sonoma Developmental Center and the Fairview Developmental Center, as specified. The bill would require any use of these parcels to be ratified by a vote of the appropriate state and local government agencies with the authority over those local land use decisions, as specified. The bill would also require 50% of the net proceeds received by the state from the lease of these properties to go to the Budget Stabilization Account until the state's debts to which that fund is obligated are paid and, after that time, to the General Fund and the rest to be deposited in the Lanterman Act Community-Based Services Fund, *which is* created by the bill. The bill would require all moneys in the Lanterman Act Community-Based Services Fund to be continuously appropriated without regard to fiscal years to the State Department of Developmental Services to augment existing purchase of services funds used by regional centers to purchase services and supports for persons with developmental disabilities. By creating a continuously appropriated fund, the bill would make an appropriation.

This bill would also state the intent of the Legislature to transfer current funding for the operations of the Fairview Developmental Center and the Sonoma Developmental Center to fund purchase of services at regional centers.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. Section 14670.09 is added to the Government  
2 Code, to read:  
3 14670.09. (a) Notwithstanding any other law, the Director of  
4 General Services shall, upon closure pursuant to Section 4474.9  
5 of the Welfare and Institutions Code, lease, for current market  
6 value, all or part of the parcels at the Sonoma Developmental  
7 Center, located at 15000 Arnold Drive, in Eldridge, Sonoma  
8 County and the Fairview Developmental Center, located at 2501  
9 Harbor Boulevard, in Costa Mesa, Orange County. Any use of  
10 these parcels shall be ratified by a vote of the appropriate state and  
11 local government agencies with the authority over those local land  
12 use decisions. If the state or local government agencies choose to  
13 use all or part of these parcels for public use, or designate them as  
14 open lands, those agencies shall be subject to the requirements of  
15 this section and Section 4474.9 of the Welfare and Institutions  
16 Code.  
17 (b) (1) Notwithstanding any other law, the net proceeds  
18 received by the state from the lease of the property shall be  
19 deposited as follows:  
20 (1)  
21 (A) Fifty percent to the Budget Stabilization Account established  
22 in Section 20 of Article XVI of the California Constitution until  
23 the state's debts to which that fund is obligated are paid and, after  
24 that time, to the General Fund.  
25 ~~(2) (A)~~  
26 (B) (i) Fifty percent to the Lanterman Act Community-Based  
27 Services Fund, *which is* hereby created in the State Treasury.  
28 Notwithstanding Section 13340, all moneys in the fund are  
29 continuously appropriated without regard to fiscal years to the  
30 State Department of Developmental Services to augment existing  
31 purchase of services funds used by regional centers to purchase  
32 services and supports for persons with developmental disabilities.  
33 ~~(B)~~

1 (ii) The moneys in the Lanterman Act Community-Based  
2 Services Fund shall be used to supplement, and not supplant,  
3 existing funds for purchase of services by regional centers.

4 (3)

5 (2) ~~Net~~ *For the purposes of this subdivision, “net proceeds”*  
6 ~~for the purposes of this subdivision~~ means gross proceeds less all  
7 costs necessary for the completion of the transaction, including  
8 costs incurred by the Department of General Services.

9 SEC. 2. Section 4474.9 is added to the Welfare and Institutions  
10 Code, to read:

11 4474.9. (a) The department shall close the Sonoma  
12 Developmental Center no later than December ~~18~~, 31, 2018, and  
13 shall close the Fairview Developmental Center no later than  
14 December 31, 2021.

15 (b) *Prior to the closure of the Sonoma Developmental Center*  
16 *or the Fairview Developmental Center pursuant to subdivision*  
17 *(a), the department shall submit a plan to the Legislature pursuant*  
18 *to Section 4474.1.*

19 SEC. 3. It is the intent of the Legislature to transfer current  
20 funding for the operations of the Fairview Developmental Center  
21 and the Sonoma Developmental Center to fund purchase of services  
22 at regional centers.

23 SEC. 4. This act is an urgency statute necessary for the  
24 immediate preservation of the public peace, health, or safety within  
25 the meaning of Article IV of the Constitution and shall go into  
26 immediate effect. The facts constituting the necessity are:

27 In order to, at the earliest possible time, facilitate the orderly  
28 closure of the developmental centers described in this act, it is  
29 necessary that this act take effect immediately.