

Introduced by Senator Roth

February 26, 2015

An act to amend Section ~~51~~ 435 of the Military and Veterans Code, relating to ~~the Military Department~~. *armories.*

LEGISLATIVE COUNSEL'S DIGEST

SB 536, as amended, Roth. ~~Military Department~~. *Armories.*

Existing law authorizes the Director of General Services, with the approval of the Adjutant General, to lease and sell real property held for armory purposes, subject to legislative approval. Existing law establishes the Armory Fund and requires that all proceeds from the sale or lease of armories be deposited into the fund, for use, upon appropriation by the Legislature, for specified purposes related to armories.

This bill would instead require the net proceeds, as defined, from the sale or lease of an armory to be deposited into the Armory Fund. The bill would, upon appropriation by the Legislature, authorize the Department of General Services to use moneys from the Property Acquisition Law Money Account for the purposes of selling armory properties. The bill would also specify that the sale of an armory is on an "as is" basis, and is exempt from specified laws. The bill would authorize the Director of General Services, with the approval of the Adjutant General, to sell specified armories pursuant to these provisions.

~~Existing law establishes in state government the Military Department, which includes the Office of the Adjutant General, the California National Guard, the State Military Reserve, the California Cadet Corps, and the Naval Militia.~~

~~This bill would make technical, nonsubstantive changes to that provision.~~

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

3 435. (a) The Director of General Services, with the approval
4 of the Adjutant General, may lease for not more than 99 years or
5 sell for fair market value upon terms and conditions and subject
6 to any reservations and exceptions as may be determined to be in
7 the best interests of the state any real property held for armory
8 purposes. No real property shall be sold or lease entered into
9 pursuant to this subdivision unless the Legislature, by statute,
10 approves the sale or lease of the property.

11 (b) There is in the State Treasury the Armory Fund. All *net*
12 proceeds from the sale or lease of ~~armories~~ *an armory* shall be
13 deposited in the fund. The money in the fund is available, upon
14 appropriation by the Legislature, for the maintenance of existing
15 armories, and for the acquisition or construction of new or
16 replacement armories, including, but not limited to, the cost of
17 design. The disposition of armory properties shall not be subject
18 to subdivision (g) of Section 11011 of the Government Code.

19 (c) *For the purposes of this section, "net proceeds" shall be*
20 *defined as the gross proceeds less:*

21 (1) *Outstanding reimbursements due to the Property Acquisition*
22 *Law Account for costs incurred by the Department of General*
23 *Services in selling an armory property.*

24 (2) *All costs directly related to the disposition of an armory,*
25 *including, but not limited to, all costs and expenses incurred by*
26 *the Department of General Services, as specified in subdivision*
27 *(d).*

28 (d) *Notwithstanding subdivision (b), the Department of General*
29 *Services may, upon appropriation by the Legislature, use funds*
30 *from the Property Acquisition Law Account for the purposes of*
31 *selling armory properties. The Director of Finance may approve*
32 *loans from the General Fund to the Property Acquisition Law*
33 *Account.*

1 (e) *The sale of an armory shall be made on an “as is” basis*
2 *and shall be exempt from Division 13 (commencing with Section*
3 *21100) of the Public Resources Code. Upon vesting title of the*
4 *armory to the purchaser or transferee of the armory, the purchaser*
5 *or transferee shall be subject to any local governmental land use*
6 *entitlement requirements and to Division 13 (commencing with*
7 *Section 21100) of the Public Resources Code.*

8 SEC. 2. *Notwithstanding any other law and pursuant to Section*
9 *435 of the Military and Veterans Code, the Director of General*
10 *Services, with the approval of the Adjutant General, may sell any*
11 *of the following properties:*

12 (a) *Approximately 1.53 acres of real property with improvements*
13 *made thereon, located at 340 North Orange Avenue, Azusa,*
14 *California, known as the Azusa-Orange Armory.*

15 (b) *Approximately 1.78 acres of real property with improvements*
16 *made thereon, located at 650 North Second Avenue, Brawley,*
17 *California, known as the Brawley Armory.*

18 (c) *Approximately 2.12 acres of real property with improvements*
19 *made thereon, located at 200 N. Alameda Street, Compton,*
20 *California, known as the Compton-Alameda Armory.*

21 (d) *Approximately 3.35 acres of real property with improvements*
22 *made thereon, located at 43-143 N. Jackson Street, Indio,*
23 *California, known as the Indio Armory.*

24 (e) *Approximately 1.03 acres of real property with improvements*
25 *made thereon, located at 11398 Bullis Road, Lynwood, California,*
26 *known as the Lynwood Armory.*

27 (f) *Approximately .50 acres of real property with improvements*
28 *made thereon, located at 600 South Park Avenue, Pomona,*
29 *California, known as the Pomona Park Armory.*

30 (g) *Approximately 3.03 acres of real property with improvements*
31 *made thereon, located at 700 E. Canon Perdido Street, Santa*
32 *Barbara, California, known as the Santa Barbara Armory.*

33 (h) *Approximately 1.34 acres of real property with improvements*
34 *made thereon, located at Route 1, Box 120, Yreka, California,*
35 *known as the Yreka Armory.*

36 ~~SECTION 1. Section 51 of the Military and Veterans Code is~~
37 ~~amended to read:~~

38 ~~51. The Military Department includes all of the following:~~

39 ~~(a) The Office of the Adjutant General.~~

40 ~~(b) The California National Guard.~~

- 1 ~~(e) The State Military Reserve.~~
- 2 ~~(d) The California Cadet Corps.~~
- 3 ~~(e) The Naval Militia.~~

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