

AMENDED IN ASSEMBLY JULY 8, 2015

AMENDED IN SENATE MAY 5, 2015

AMENDED IN SENATE APRIL 20, 2015

AMENDED IN SENATE APRIL 6, 2015

**SENATE BILL**

**No. 536**

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**Introduced by Senator Roth**

February 26, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

SB 536, as amended, Roth. 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, require 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.

Vote: majority. Appropriation: no. Fiscal committee: 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  
2 is 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~~ *Real* property shall *not* be sold or ~~lease entered~~  
9 ~~into leased~~ pursuant to this subdivision unless the Legislature, by  
10 statute, 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 an armory shall be deposited in  
13 the fund. The money in the fund is available, upon appropriation  
14 by the Legislature, for the maintenance of existing armories, and  
15 for the acquisition or construction of new or replacement armories,  
16 including, but not limited to, the cost of design. The disposition  
17 of armory properties ~~shall is not be~~ subject to subdivision (g) of  
18 Section 11011 of the Government Code.  
19 (c) For the purposes of this section, “net proceeds” ~~shall be~~  
20 ~~defined as are~~ the gross proceeds less:  
21 (1) Outstanding reimbursements due to the Property Acquisition  
22 Law Money Account for costs incurred by the Department of  
23 General 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 shall, upon appropriation by the Legislature, use funds  
30 from the Property Acquisition Law Money Account for the  
31 purposes of selling armory properties. The Director of Finance  
32 may approve loans from the General Fund to the Property  
33 Acquisition Law Money Account.  
34 (e) The sale of an armory shall be made on an “as is” basis and  
35 ~~shall be is~~ exempt from Division 13 (commencing with Section

1 21100) of the Public Resources Code. Upon vesting title of the  
2 armory to the purchaser or transferee of the armory, the purchaser  
3 or transferee shall be subject to any local governmental land use  
4 entitlement requirements and to Division 13 (commencing with  
5 Section 21100) of the Public Resources Code.

6 SEC. 2. Notwithstanding any other law and pursuant to Section  
7 435 of the Military and Veterans Code, the Director of General  
8 Services, with the approval of the Adjutant General, may sell any  
9 of the following properties:

10 (a) (1) Approximately 1.53 acres of real property with  
11 improvements made thereon, located at 340 North Orange Avenue,  
12 Azusa, California, known as the Azusa-Orange Armory.

13 (2) (A) *The Director of General Services, with the approval of*  
14 *the Adjutant General, shall grant to the City of Azusa an option*  
15 *to purchase the Azusa-Orange Armory. The option shall expire on*  
16 *July 1, 2016. The purchase agreement may consider the*  
17 *contributory value of all capital improvements made to the*  
18 *Azusa-Orange Armory by the City of Azusa less the value of*  
19 *improvements made in lieu of rents during the term of the use of*  
20 *the Azusa-Orange Armory by the City of Azusa, and any state costs*  
21 *incurred in the sale of the Azusa-Orange Armory to the City of*  
22 *Azusa.*

23 (B) *On and after July 1, 2016, the Azusa-Orange Armory shall*  
24 *be offered for sale by general bid. Any purchase agreement*  
25 *pursuant to this paragraph shall include terms and conditions*  
26 *determined by the Director of General Services to be in the best*  
27 *interest of the state based on the fair market value of the armory*  
28 *as determined by an appraisal undertaken and approved by the*  
29 *Department of General Services.*

30 (b) Approximately 1.78 acres of real property with  
31 improvements made thereon, located at 650 North Second Street,  
32 Brawley, California, known as the Brawley Armory.

33 (c) Approximately 3.35 acres of real property with  
34 improvements made thereon, located at 43-143 N. Jackson Street,  
35 Indio, California, known as the Indio Armory.

36 (d) Approximately 1.03 acres of real property with  
37 improvements made thereon, located at 11398 Bullis Road,  
38 Lynwood, California, known as the Lynwood Armory.

1 (e) Approximately .50 acres of real property with improvements  
2 made thereon, located at 600 South Park Avenue, Pomona,  
3 California, known as the Pomona Park Armory.

4 (f) Approximately 3.03 acres of real property with improvements  
5 made thereon, located at 700 E. Canon Perdido Street, Santa  
6 Barbara, California, known as the Santa Barbara Armory.

7 (g) Approximately 1.34 acres of real property with  
8 improvements made thereon, located at Route 1, Box 120, Yreka,  
9 California, known as the Yreka Armory.