

Introduced by Senator Allen

February 27, 2015

An act to amend Section 5096.520 of the Public Resources Code, relating to conservation easements.

LEGISLATIVE COUNSEL'S DIGEST

SB 778, as introduced, Allen. Conservation easements: central public registry.

Existing law requires the Secretary of the Natural Resources Agency to establish a central public registry of all conservation easements held or required by the state, or purchased with state grant funds provided by an agency, department, or division of the state on or after January 1, 2000, as prescribed. Existing law requires the registry to be updated biennially.

This bill would require the registry to be updated biennially, or more frequently at the discretion of the secretary.

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 5096.520 of the Public Resources Code
2 is amended to read:
3 5096.520. (a) The Secretary of the *Natural* Resources Agency
4 shall establish a central public registry of all conservation
5 easements held or required by the state, or purchased with state
6 grant funds provided by an agency, department, or division of the
7 state on or after January 1, 2000. In constructing the registry, the
8 *Natural* Resources Agency shall draw upon the Department of

1 General Services' property inventory, and other information held
2 by a state agency, department, division, or other sources.

3 (b) For the purposes of this section, "conservation easement"
4 means any limitation in a recorded instrument that contains an
5 easement, restriction, covenant, condition, or offer to dedicate,
6 that has been executed by or on behalf of the owner of the land
7 *that is* subject to that limitation and is binding upon successive
8 owners of the land, and the purpose of which is to retain land
9 predominantly in its natural, scenic, historical, agricultural,
10 forested, or open-space condition. "Conservation easement"
11 includes a conservation easement as defined in Section 815.1 of
12 the Civil Code, an open-space easement as defined in Section
13 51075 of the Government Code, and an agricultural conservation
14 easement as defined in Section 10211.

15 (c) The registry shall only include the following information on
16 each conservation easement *that is* listed in the registry:

17 (1) The assessor's parcel numbers for the property covered by
18 the easement.

19 (2) The purpose of the easement.

20 (3) The location of the easement, identified by county and
21 nearest city.

22 (4) The identity of the easementholder.

23 (5) The size of the easement in acres.

24 (6) The date the easement transaction was recorded.

25 (7) The amount of funding provided by the agency, department,
26 or division of the state holding or requiring the easement or
27 providing state grant funds for the easement.

28 (d) An agency, department, or division of the state with
29 conservation easements that are held or required by the state or
30 purchased with state grant funds shall enter and keep current the
31 information specified in subdivision (c) for those easements in the
32 registry established pursuant to this section.

33 ~~(e) On or before January 1, 2009, the~~ *The* Secretary of the
34 *Natural Resources Agency* shall make the registry available for
35 use by the general public. Only the information ~~pertaining~~ *relating*
36 to paragraphs (2) to (6), inclusive, of subdivision (c) regarding
37 conservation easements held or required by the state, or purchased
38 with state grant funds provided by an agency, department, or
39 division of the state on or after January 1, 2006, shall be provided
40 by the Secretary of the *Natural Resources Agency* on the Internet.

- 1 Personal identifying information shall not be posted on the Internet.
- 2 The registry shall be updated ~~biennially~~ *biennially, or more*
- 3 *frequently at the discretion of the secretary.*

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