

AMENDED IN SENATE MARCH 10, 1997

**SENATE BILL**

**No. 257**

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**Introduced by Senator Lee**  
**(Principal Coauthor: Senator Thompson)**  
**(Coauthors: Senators Costa, Rainey, and Vasconcellos)**  
**(Coauthors: Assembly Members Goldsmith and Scott)**

February 4, 1997

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An act to add and repeal Section 33334.21 of the Health and Safety Code, relating to redevelopment.

LEGISLATIVE COUNSEL'S DIGEST

SB 257, as amended, Lee. Redevelopment: low- and moderate-income housing.

Existing law, known as the Community Redevelopment Law, authorizes the establishment of redevelopment agencies in communities to address the effects of blight, including, among other specified conditions, a high crime rate that constitutes a serious threat to the public safety and welfare, in those communities. Also under the Community Development Law, not less than 20% of all tax increment revenues that are allocated to a redevelopment agency are required to be held in a separate Low- and Moderate-Income Housing Fund and used by the agency for the purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing available at affordable housing cost to persons and families of specified income levels.

This bill would establish a pilot program that would permit redevelopment agencies in specified urban counties *in order* to encourage *county* peace officers, as defined, *who are*

*assigned to that community based on a contract for law enforcement services with a county, to purchase homes, as a principal residence, located within a redevelopment project area where the crime rate is at least 110% of the ~~citywide~~ community-wide crime rate, by providing the peace officer with a downpayment, not to exceed 20% of the purchase price of the home with prescribed restrictions and obligations through the use of funds from its Low- and Moderate-Income Housing Fund. This bill also would require the governmental entity employing the peace officer, pursuant to existing provisions of law, to reimburse the actual and necessary moving expenses of the peace officer or any member of his or her immediate family residing with the officer, under specified conditions, where the officer has received a threat to his or her life.*

The bill also would make findings of the Legislature that criminal activity, including violent crimes, is prevalent in some urban neighborhoods constituting a serious threat to the public safety and welfare and that the presence of peace officers who also reside in urban neighborhoods can reduce criminal activities.

The California Constitution provides that a local or special statute is invalid in any case if a general statute can be made applicable.

This bill would declare that, due to the unique circumstances within the Counties of Alameda, Contra Costa, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Clara, and Ventura, *and within cities in other counties if the city has a population of greater than 100,000 residents*, that the bill is intended to remedy, a general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.

This bill would repeal its provisions as of January 1, ~~2001~~ 2003, unless a later enacted statute, that is enacted before January 1, ~~2001~~ 2003, deletes or extends that date.

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 33334.21 is added to the Health  
2 and Safety Code, to read:

3 33334.21. (a) The Legislature finds and declares all of  
4 the following:

5 (1) Violent crimes, burglaries, robberies, drug dealing,  
6 prostitution, and other criminal activities are so prevalent  
7 and substantial in some urban neighborhoods that they  
8 constitute a serious threat to the public safety and  
9 welfare, resulting in blight.

10 (2) Criminal activity is so prevalent and substantial in  
11 some urban neighborhoods that it becomes an economic  
12 burden that cannot be reasonably expected to be  
13 reversed or alleviated by private enterprise or  
14 government action, or both, without redevelopment.

15 (3) The presence of peace officers who also reside in  
16 urban neighborhoods can reduce criminal activities.

17 (4) Cities in other states have successfully attracted  
18 peace officers to buy homes and reside in urban  
19 neighborhoods as an effective deterrent to crime.

20 (5) Economic, physical, and social conditions can  
21 discourage peace officers from purchasing homes in the  
22 communities that employ them.

23 (6) It is the intent of the Legislature in enacting this  
24 section to establish a pilot program that permits agencies  
25 to encourage peace officers to buy homes and reside in  
26 urban neighborhoods.

27 (b) From the Low- and Moderate-Income Housing  
28 Fund or any other source, an agency may provide up to  
29 100 percent of the downpayment for the purchase of a  
30 principal residence by a peace officer in an urban  
31 neighborhood in the community. The downpayment  
32 shall not exceed 20 percent of the purchase price of the  
33 residence.

34 ~~(c) The peace officer shall occupy the residence as his~~  
35 ~~or her principal residence for at least 10 years. If, during~~  
36 ~~residence. The peace officer shall occupy the residence as~~  
37 ~~his or her principal residence for at least 10 years. An~~



1 agency may adopt any rules, regulations, or limitations  
2 necessary to implement this section.

3 (c) An agency in a community that contracts for law  
4 enforcement services with a county may provide down  
5 payments pursuant to this section to county peace officers  
6 who are assigned to that community.

7 (d) If, during those 10 years, the peace officer ceases  
8 to be employed by the community or establishes another  
9 principal residence, the peace officer shall repay the  
10 agency a prorated amount of the down payment, based  
11 on the time remaining.

12 ~~(d)~~

13 (e) If, during those 10 years, a county peace officer  
14 who resides in a community that contracts for law  
15 enforcement services with a county ceases to be  
16 employed by the county or if it is necessary for the county  
17 peace officer to move from his or her principal residence  
18 because the county assigns the county peace officer to  
19 another community, the county peace officer shall repay  
20 the agency a prorated amount of the down payment,  
21 based on the time remaining.

22 (f) If, during those 10 years, it is necessary for the  
23 peace officer to move from his or her principal residence  
24 because the officer has received a credible threat that a  
25 life threatening action may be taken against the officer or  
26 his or her immediate family because of the peace officer's  
27 employment, the provisions of Section 832.9 of the Penal  
28 Code shall apply.

29 (g) If the value of the residence declines on resale  
30 within those 10 years, the peace officer and the agency  
31 shall share the loss in proportion to each party's  
32 contribution to the original purchase price.

33 ~~(e)~~

34 (h) Subdivision (f) of Section 33334.3 does not apply to  
35 a residence purchased by a peace officer pursuant to this  
36 section. To the extent that this section conflicts with other  
37 provisions of this part, this section shall prevail.

38 ~~(f)~~

39 (i) This section may be used only by agencies that are  
40 located in the Counties of Alameda, Contra Costa, Los



1 Angeles, Orange, Riverside, Sacramento, San  
2 Bernardino, San Diego, San Francisco, San Mateo, Santa  
3 Clara, and Ventura, *and by agencies within cities that are*  
4 *located in other counties if the city has a population that*  
5 *is greater than 100,000 residents.*

6 ~~(g)~~

7 (j) As used in this section:

8 (1) “Peace officer” means a peace officer as defined in  
9 Section 830 of the Penal Code who is employed by the  
10 community and whose income at the time of the purchase  
11 does not exceed 120 percent of the area median income,  
12 adjusted for family size by the department pursuant to  
13 Section 50093.

14 (2) “Urban neighborhood” means all or a portion of a  
15 project area designated by the agency where the number  
16 of crimes per capita in the urban neighborhood is at least  
17 10 percent greater than the number of crimes per capita  
18 throughout the community.

19 (h) This section shall remain in effect only until  
20 January 1, ~~2001~~ 2003, and as of that date is repealed, unless  
21 a later enacted statute, that is enacted before January 1,  
22 ~~2001~~ 2003, deletes or extends that date.

23 SEC. 2. The Legislature finds and declares that,  
24 because of the unique circumstances applicable only to  
25 Alameda, Contra Costa, Los Angeles, Orange, Riverside,  
26 Sacramento, San Bernardino, San Diego, San Francisco,  
27 San Mateo, Santa Clara, and Ventura, *and within cities in*  
28 *other counties if the city has a population greater than*  
29 *100,000 residents* a statute of general applicability cannot  
30 be enacted within the meaning of subdivision (b) of  
31 Section 16 of Article IV of the California Constitution.  
32 Therefore, this special statute is necessary.

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