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**GOVERNMENT CODE - GOV**

**TITLE 5. LOCAL AGENCIES [50001 - 57607]** ( Title 5 added by Stats. 1949, Ch. 81. )

**DIVISION 1. CITIES AND COUNTIES [50001 - 52203]** ( Division 1 added by Stats. 1949, Ch. 81. )

**PART 4. Economic Opportunity [52200 - 52203]** ( Part 4 added by Stats. 2013, Ch. 659, Sec. 1. )

**CHAPTER 1. General Provisions [52200 - 52200.6]** ( Chapter 1 added by Stats. 2013, Ch. 659, Sec. 1. )

**52200.** It is the intent of the Legislature to do all of the following:

- (a) Promote economic development on a local level so that communities can enact local strategies to increase jobs, create economic opportunity, and generate tax revenue for all levels of government.
- (b) Give local governments tools, at no cost to the state, that allow local governments to use their funds in a manner that promotes economic opportunity.
- (c) With the loss of redevelopment funds, cities, counties, and cities and counties need to continue certain powers afforded to redevelopment agencies that were critical to economic development, yet do not have an impact on schools and the state budget.  
(Added by Stats. 2013, Ch. 659, Sec. 1. (SB 470) Effective January 1, 2014.)

**52200.2.** As used in this part, "economic opportunity" means any of the following:

- (a) Development agreements, loan agreements, sale agreements, lease agreements, or other agreements that create, retain, or expand new jobs, in which the legislative body finds that the agreement will create or retain at least one full-time equivalent, permanent job for every thirty-five thousand dollars (\$35,000) of city, county, or city and county investment in the project after full capacity and implementation.
- (b) Development agreements, loan agreements, sale agreements, lease agreements, or other agreements that increase property tax revenues to all property tax collecting entities, in which the legislative body finds that the agreement will result in an increase of at least 15 percent of total property tax resulting from the project at full implementation when compared to the year prior to the property being acquired by the government entity.
- (c) Creation of affordable housing, if a demonstrated affordable housing need exists in the community, as defined in the approved housing element or regional housing needs assessment.
- (d) Projects that meet the goals set forth in Chapter 728 of the Statutes of 2008 and have been included in an adopted sustainable communities strategy or alternative planning strategy or a project that specifically implements the goals of those adopted plans.
- (e) Transit priority projects, as defined in Section 21155 of the Public Resources Code.

(Amended by Stats. 2016, Ch. 503, Sec. 1. (AB 806) Effective January 1, 2017.)

**52200.4.** It is declared to be the policy of the state:

- (a) To protect and promote the sound development of economic opportunity in cities and counties and the general welfare of the inhabitants of those communities through the employment of all appropriate means.
- (b) That whenever the creation of economic opportunity in cities and counties cannot be accomplished by private enterprise alone, without public participation and assistance in the acquisition of land, in planning and in the financing of land assembly, in the work of clearance, and in the making of improvements necessary therefor, it is in the public interest to advance or expend public funds for these purposes, and to provide a means by which economic opportunity can be created.
- (c) That the creation of economic opportunity and the provisions for appropriate continuing land use and construction policies with respect to property acquired, in whole or in part, for economic opportunity constitute public uses and purposes for which public money may be advanced or expended and private property acquired, and are governmental functions of state concern in the interest of health, safety, and welfare of the people of the state and cities and counties.

(d) That the necessity in the public interest for the provisions of this part is declared to be a matter of legislative determination.

*(Added by Stats. 2013, Ch. 659, Sec. 1. (SB 470) Effective January 1, 2014.)*

**52200.6.** (a) (1) This part shall not be interpreted to authorize the use of eminent domain for economic development purposes.

(2) For the purposes of this part, a city, county, or city and county shall not sell, lease, or otherwise transfer, at a price that is less than the fair market value, any real property that was acquired through eminent domain. This prohibition shall not apply to either of the following:

(A) Any real property governed by a long-range property management plan pursuant to Section 34191.5 of the Health and Safety Code.

(B) Any housing asset transferred to a city, county, or city and county pursuant to paragraph (1) of subdivision (a) of Section 34176 of the Health and Safety Code or subdivision (c) of Section 34181 of the Health and Safety Code, provided that the successor agency or the designated local authority in the affected jurisdiction has received a finding of completion from the Department of Finance pursuant to Section 34179.7 of the Health and Safety Code.

(b) The creation of an economic opportunity pursuant to this part shall be subject to the provisions of Section 53083.

(c) The provisions of this part shall be an alternative to any authority of a city, county, or city and county to create an economic opportunity or to acquire, sell, or lease property for economic development, found in the Constitution, state law, local ordinance, or charter. This part does not limit, or in any way affect, the application of any other such laws.

*(Amended by Stats. 2016, Ch. 503, Sec. 2. (AB 806) Effective January 1, 2017.)*