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AB-1900 San Pedro superior courthouse. (2015-2016)

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Assembly Bill No. 1900

CHAPTER 510

An act to add Section 70395 to the Government Code, relating to court facilities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 23, 2016. Filed with Secretary of State September 23, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1900, Jones-Sawyer. San Pedro superior courthouse.

(1) Existing law authorizes the Judicial Council to dispose of surplus court facilities pursuant to a specified process that requires, among other things, the Judicial Council to consult with the county where the court facility is located, offer the facility to the county at a fair market value before offering it to another state or local government agency, and deposit the funds received from a sale into the State Court Facilities Construction Fund. The process further requires the Judicial Council, if the court facility was previously the responsibility of a county, to comply with certain requirements applicable to the sale of surplus state property. Existing law establishes the Immediate and Critical Needs Account within the State Court Facilities Construction Fund. The California Constitution requires the proceeds from the sale of surplus state property to be deposited into the Special Fund for Economic Uncertainties, a continuously appropriated fund.

This bill would, notwithstanding any other law, specifically authorize the Judicial Council to sell the San Pedro superior courthouse, as specified, if the sale complies with certain requirements applicable to the disposal of court facilities and the Judicial Council consults with, and first offers the right to purchase the property to, the County of Los Angeles. The bill would require the net proceeds from the sale of the courthouse to be deposited into the Immediate and Critical Needs Account of the State Court Facilities Construction Fund. The bill would state that the disposition of this property is not a sale or other disposition of surplus state property within the meaning of the California Constitution.

The bill would make legislative findings in support of its provisions.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. It is the intent of the Legislature, in enacting this act, to specifically authorize the Judicial Council, with certain participation by the County of Los Angeles, to sell property known as the San Pedro superior courthouse, a surplus court facility that is unsuitable for the needs of the judicial branch, and transfer those sale proceeds to the Judicial Council's Immediate and Critical Needs Account of the State Court Facilities Construction Fund.

SEC. 2. Section 70395 is added to the Government Code, immediately following Section 70394, to read:

70395. (a) Notwithstanding any other law, the Judicial Council may sell the property, at fair market value and upon the terms and conditions and subject to the reservations the Judicial Council deems in the best interests of the state, if all of the following requirements are satisfied:

(1) The sale complies with Section 70391 of the Government Code, as applicable.

(2) The Judicial Council consults with the County of Los Angeles concerning the sale of the property.

(3) The Judicial Council offers the County of Los Angeles the right to purchase the property at fair market value before otherwise offering the property for sale.

(b) Notwithstanding any other law, the net proceeds from the sale of the property shall be deposited into the Immediate and Critical Needs Account of the State Court Facilities Construction Fund, established by Section 70371.5 of the Government Code.

(c) For purposes of this act, "property" means the San Pedro superior courthouse located at 505 South Centre Street, in the City of Los Angeles and the County of Los Angeles, Assessor Parcel Number 7455-013-901.

(d) The disposition of the property authorized in this section does not constitute a sale or other disposition of surplus state property within the meaning of Section 9 of Article III of the California Constitution and shall not be subject to subdivision (g) of Section 11011 of the Government Code.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

To enable the sale of the San Pedro court facility to occur as soon as possible, it is necessary that this act take effect immediately.