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SB-1120 Director of General Services: state medical facilities: leases. (2015-2016)

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Senate Bill No. 1120

CHAPTER 482

An act to amend Sections 14670.2 and 14672.1 of the Government Code, relating to state government.

[Approved by Governor September 22, 2016. Filed with Secretary of State September 22, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1120, Wolk. Director of General Services: state medical facilities: leases.

(1) Existing law authorizes the Director of General Services, with the consent of the State Department of State Hospitals, to lease specified property not exceeding 10 acres located within the Napa State Hospital to a public governmental agency for the purpose of conducting its trainable mentally retarded program consistent with specified requirements.

This bill would update the names of the programs being offered, would increase the allowable acreage to 10.5 acres, and would authorize the lease or leases to be renewed for a term not exceeding 50 years.

(2) Existing law authorizes the Director of General Services, with the consent of the Department of Corrections and Rehabilitation, to lease specified property located within the Medical Facility at Vacaville to a nonprofit corporation for the purpose of conducting an educational and work program for persons with intellectual disabilities consistent with specified requirements. Existing law authorizes the nonprofit corporation receiving the lease to assign or sublet to a public agency, with the approval of the Director of General Services and the Department of Corrections and Rehabilitation.

This bill would additionally authorize the director to lease property within the medical facility to a public governmental agency. The bill would prohibit a renewed lease under these provisions from being assigned. The bill would update the names of the programs being offered. The bill would authorize the lease to be renewed for a term not exceeding 50 years. The bill would require the Director of General Services to review the lease every 5 years, as specified.

The bill would also make technical and conforming changes to these provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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

SECTION 1. Section 14670.2 of the Government Code is amended to read:

14670.2. Notwithstanding Section 14670, the Director of General Services, with the consent of the State Department of State Hospitals, may, in the best interests of the state, let to a public governmental agency, for the purpose of locating and conducting its special needs and alternative education programs, and for locating and conducting a child-care facility, and for a period not to exceed 50 years, real property not exceeding 10.5 acres located within the grounds of the Napa State Hospital. For the additional

purpose of establishing an educational park, the director may, with the consent of the department, renegotiate the lease or leases, for a period not to exceed 50 years, which period shall commence January 1, 1993. For the purposes of this section, "educational park" means a conglomerate of educational services, including, but not limited to, a children's center, a preschool for severely disabled children, adult educational services, administrative offices, a community school, and a media services building. The lease or leases provided for in this section may be renewed for an additional period, not to exceed 50 years.

The lease or leases authorized by this section shall be nonassignable and shall be subject to periodic review every five years. That review shall be made by the Director of General Services, who shall do both of the following:

(a) Review the lessee's performance of the terms of the lease to confirm that the purposes of the lease or leases are being carried out.

(b) Determine what, if any, adjustment should be made in the terms of the lease or leases.

SEC. 2. Section 14672.1 of the Government Code is amended to read:

14672.1. Notwithstanding Section 14670, the Director of General Services, with the consent of the Department of Corrections and Rehabilitation, may let to a nonprofit corporation or a public governmental agency, for the purpose of conducting its special needs and alternative education programs, and for a period not to exceed 50 years, real property not exceeding 10 acres, located within the grounds of the Medical Facility at Vacaville, California. The lease provided for in this section may be renewed for an additional period not to exceed 50 years.

The renewed lease authorized by this section shall be nonassignable and shall be subject to periodic review every five years. That review shall be made by the Director of General Services, who shall do both of the following:

(a) Review the lessee's performance of the terms of the lease to confirm that the purposes of the lease are being carried out.

(b) Determine what, if any, adjustment should be made in the terms of the lease.