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AB-2309 Sale of the West Los Angeles Courthouse. (2017-2018)

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Assembly Bill No. 2309

CHAPTER 536

An act to add Section 70397 to the Government Code, relating to court facilities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 19, 2018. Filed with Secretary of State September 19, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2309, Bloom. Sale of the West Los Angeles Courthouse.

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 agency 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 of the State Court Facilities Construction Fund, for the planning, design, construction, rehabilitation, renovation, replacement, or acquisition of court facilities and for trial court operations, as defined. 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 West Los Angeles Courthouse, as specified, and the Mental Health Courthouse, as described, if the sale complies with certain requirements applicable to the disposal of court facilities and if 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 include a statement of legislative intent in support of its provisions.

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 to sell the properties known as the West Los Angeles Courthouse and the Mental Health Courthouse, each of which is a closed court facility in the County of Los Angeles that is unsuitable for the needs of the judicial branch, and to transfer those sale proceeds to the Immediate and Critical Needs Account of the State Court Facilities Construction Fund.

SEC. 2. Section 70397 is added to the Government Code, to read:

70397. (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, 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.

(c) For purposes of this act, "property" means each of the following:

(1) The West Los Angeles Courthouse located at 1633 Purdue Avenue, City of Los Angeles, County of Los Angeles, Assessor Parcel Numbers 4261-011-908, 4261-011-909, 4261-011-910, 4261-011-913, 4261-011-914, and 4261-011-915.

(2) The Mental Health Courthouse located at 1150 North San Fernando Road, City of Los Angeles, County of Los Angeles, Assessor Parcel Number 5453-002-900.

(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 is not subject to subdivision (g) of Section 11011.

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 California Constitution and shall go into immediate effect. The facts constituting the necessity are:

To enable the sale of the West Los Angeles Courthouse and the Mental Health Courthouse to occur as soon as possible, it is necessary that this act take effect immediately.