



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

**SB-330 Los Angeles Community College District Affordable Housing Pilot Program.** (2021-2022)

SHARE THIS:  

Date Published: 10/07/2021 02:00 PM

**Senate Bill No. 330**

**CHAPTER 572**

An act to add and repeal Article 17 (commencing with Section 81560) of Chapter 2 of Part 49 of Division 7 of Title 3 of the Education Code, relating to community colleges.

[ Approved by Governor October 06, 2021. Filed with Secretary of State October 06, 2021. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 330, Durazo. Los Angeles Community College District Affordable Housing Pilot Program.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to provide instruction at the campuses they operate.

This bill would require the governing board of the Los Angeles Community College District to develop and implement a pilot program to provide affordable housing to students or employees of the Los Angeles Community College District, and to provide a report to the Legislature, no later than January 1, 2032, with findings and recommendations on the success of the program. The bill would require priority to be given to low-income students experiencing homelessness for the affordable units of the affordable housing for students or employees. By imposing new duties on a community college district, the bill would impose a state-mandated local program.

Existing law authorizes the governing board of a community college district to let to any private person, firm, or corporation, any real property that belongs to the community college district if the instrument by which the property is let requires the lessee to construct on the demised premises, or provide for the construction on the real property of, a building or buildings for the joint use of the community college district and the private person, firm, or corporation during the term of the lease or agreement if certain conditions are met, including that no rental fee or other charge for the use of the building or buildings is paid by the community college district. Existing law authorizes a community college district to enter into a lease or agreement with a city, county, or city and county for the joint occupancy, or a private educational institution for its sole occupancy, of the real property and buildings of the community college district, as provided. Existing law limits the duration of those leases or agreements to a term not to exceed 5 years, as specified. Existing law prohibits the governing board of a community college district from leasing real property for less than fair rental value, as defined, to any entity unless the entity meets certain conditions.

This bill would authorize the Los Angeles Community College District to let to any nonprofit entity any real property, as specified. The bill would authorize the Los Angeles Community College District to agree to a rental fee or other charge for that use if the constructed building or buildings are developed and operated as affordable housing for students or employees, as defined, of the Los Angeles Community College District, or for both those students and employees. The bill would authorize the Los Angeles Community College District to enter into a lease or agreement with a nonprofit entity, private person, firm, or corporation for joint occupancy of the real property and buildings of the community college district, if the real property and buildings are intended for affordable housing for students or employees of the community college district, or for both those students and employees. The bill

would authorize a lease or agreement for joint occupancy of real property and buildings of the Los Angeles Community College District that are intended for affordable housing for students or employees of the community college district, or for both those students and employees, for a term that does not exceed 66 years. The bill would authorize the governing board of the Los Angeles Community College District to lease real property for less than fair rental value to an entity if that entity intends to enter into a lease or agreement with the community college district for joint occupancy of the real property and buildings of the community college district to develop and operate affordable housing for students or employees of the community college district, or for both those students and employees.

This bill would repeal the pilot program on January 1, 2033.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

---

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

**SECTION 1.** Article 17 (commencing with Section 81560) is added to Chapter 2 of Part 49 of Division 7 of Title 3 of the Education Code, to read:

### **Article 17. Los Angeles Community College District Affordable Housing Pilot Program**

**81560.** For purposes of this article, the following definitions apply:

(a) "Affordable housing for students or employees" means a housing development with a majority of its rents restricted to levels that are affordable to low-income students, or employees who are persons and families of low or moderate income.

(b) "Low-income student" means a student whose income and asset level does not exceed the level required for the Cal Grant A award or Cal Grant B award.

(c) "Persons and families of low or moderate income" has the same meaning as defined in Section 50093 of the Health and Safety Code.

**81561.** (a) (1) The governing board of the Los Angeles Community College District shall develop and implement a pilot program, pursuant to this article, to provide affordable housing to students or employees of the Los Angeles Community College District.

(2) Priority shall be given to low-income students experiencing homelessness for the affordable units of the affordable housing for students or employees. The student's homelessness status may be verified by a homeless services provider, as defined in paragraph (3) of subdivision (e) of Section 103577 of the Health and Safety Code, the Los Angeles Community College District, or a campus of the community college district if it has knowledge of the student's status.

(b) (1) The governing board of the Los Angeles Community College District shall, not later than January 1, 2032, provide a report to the Legislature with findings and recommendations on the success of the program.

(2) The report in paragraph (1) shall be submitted to the Legislature in accordance with Section 9795 of the Government Code.

**81562.** (a) The governing board of the Los Angeles Community College District may let to any nonprofit entity, private person, firm, or corporation, any real property that belongs to the Los Angeles Community College District if the instrument by which the property is let requires the lessee to construct on the demised premises, or provide for the construction on the real property of, a building or buildings for the joint use of the Los Angeles Community College District and the nonprofit entity, private person, firm, or corporation during the term of the lease or agreement if both of the following conditions are met:

(1) The title to that portion of the building to be occupied by the nonprofit entity, private person, firm, or corporation remains exclusively the personal property of the nonprofit entity or private party during the term of the lease and the title to the portion of the building to be occupied by the Los Angeles Community College District vests in the Los Angeles Community College District upon completion of the building or buildings and acceptance of the building or buildings by the Los Angeles Community College District.

(2) Except as provided in subdivision (b), no rental fee or other charge for the use of the building or buildings is paid by the Los Angeles Community College District.

(b) For a lease or agreement entered into pursuant to subdivision (a), if the constructed building or buildings are developed and operated as affordable housing for students or employees of the Los Angeles Community College District, or for both those students and employees, the Los Angeles Community College District and the nonprofit entity, private person, firm, or corporation may agree to waive the condition that no rental fee or other charge is to be paid by the Los Angeles Community College District for the portion of the building that is for the exclusive use of the Los Angeles Community College District.

(c) The Los Angeles Community College District may enter into a lease or agreement with a nonprofit entity, private person, firm, or corporation for the joint occupancy of the real property and buildings of the Los Angeles Community College District, in accordance with this chapter, if the real property and buildings are intended for affordable housing for students or employees of the Los Angeles Community College District, or for both those students and employees.

(d) A lease or agreement under this article for joint occupancy of real property and buildings of the Los Angeles Community College District that are intended for affordable housing for students or employees of the Los Angeles Community College District, or for both those students and employees, shall not exceed a term of 66 years.

(e) The governing board of the Los Angeles Community College District may lease real property for less than fair rental value, as defined in Section 82542, to any entity that intends to enter into a lease or agreement with the Los Angeles Community College District for joint occupancy of the real property and buildings of the Los Angeles Community College District to develop and operate affordable housing for students or employees of the Los Angeles Community College District, or for both those students and employees, and the lease or agreement is consistent with Section 6 of Article XVI of the California Constitution.

**81563.** This article shall remain in effect only until January 1, 2033, and as of that date is repealed.

**SEC. 2.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.