

Senate Bill No. 6

CHAPTER 667

An act to add Sections 11011.8 and 65583.3 to the Government Code, relating to residential development.

[Approved by Governor October 9, 2019. Filed with Secretary of State October 9, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 6, Beall. Residential development: available land.

Existing law requires each state agency to make a review of all proprietary state lands over which it has jurisdiction, subject to certain exceptions, and to report to the Department of General Services on those lands in excess of its foreseeable needs. Existing law requires the jurisdiction over lands reported excess to be transferred to the department upon request. Existing law requires the Department of General Services to report to the Legislature annually on the lands declared excess. Existing law requires a city or county to have a general plan for development with a housing element and to submit the housing element to the Department of Housing and Community Development prior to adoption or amendment. Existing law requires that the housing element include an inventory of land suitable and available to residential development, as specified.

This bill would require the Department of Housing and Community Development to furnish the Department of General Services with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. The bill would require the Department of General Services to create a database of that information and information regarding state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet website. The bill would require for any housing element adopted on or after January 1, 2021, that the local planning agency submit an electronic copy of the inventory of land suitable and available for residential development to the Department of Housing and Community Development. By requiring local governments to electronically submit the inventory of land suitable and available for residential development to the department, the bill would impose a state-mandated local program.

This bill would authorize the Department of Housing and Community Development to review, adopt, amend, and repeal the standards, forms, or definitions to implement provisions regarding the inventory of land suitable and available for residential development. The bill would require a local government to prepare the inventory pursuant to those standards, forms, and definitions.

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 no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 11011.8 is added to the Government Code, to read:

11011.8. (a) On or before December 31 of each year, the Department of Housing and Community Development shall furnish to the Department of General Services a list of lands suitable and available for residential development that were identified by a local government as part of the housing element of its general plan pursuant to paragraph (3) of subdivision (a) of Section 65583 and subdivision (b) of Section 65583.3 and that were submitted to the Department of Housing and Community Development pursuant to Section 65583.3.

(b) The Department of General Services shall create a database of information that was furnished to it pursuant to subdivision (a) and information regarding the state lands determined or declared excess pursuant to Section 11011. The department shall make this database available and searchable by the public by means of a link on its internet website.

(c) The Department of General Services may rely on the accuracy of the information submitted by a local government pursuant to Section 65583.3 to the Department of Housing and Community Development in creating the database pursuant to subdivision (b).

SEC. 2. Section 65583.3 is added to the Government Code, to read:

65583.3. (a) For a housing element or amendment adopted on or after January 1, 2021, the planning agency shall submit to the department an electronic copy of its inventory of land suitable for residential development developed pursuant to paragraph (3) of subdivision (a) of Section 65583 and subdivision (b) of this section with the copy of its housing element or amendment submitted pursuant to subdivision (g) of Section 65585. The local government shall ensure, to the best of its knowledge, that the inventory of land submitted to the department is true and correct.

(b) Notwithstanding subdivision (a) of Section 65301, each local government shall prepare the inventory required under paragraph (3) of subdivision (a) of Section 65583 using standards, forms, and definitions adopted by the department. The department may review, adopt, amend, and repeal the standards, forms, or definitions to implement this subdivision and subdivision (a) of Section 65583. Any standards, forms, or definitions adopted to implement this subdivision and subdivision (a) of Section 65583 shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because this act provides

for offsetting savings to local agencies or school districts that result in no net costs to the local agencies or school districts, within the meaning of Section 17556 of the Government Code.

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