

**Proposed Trailer Bill Language
Employee Wellness Initiatives**

DRAFT LANGUAGE

Section 14670 of the Government Code Section is amended to read as follows:

(a) With the consent of the state agency concerned, the director may do any of the following:

(1) Let for a period of not to exceed five years, any real or personal property that belongs to the state, the letting of which is not expressly prohibited by law, if he or she deems the letting to be in the best interest of the state.

(2) Sublet any real or personal property leased by the state, the subletting of which is not expressly prohibited by law, if he or she deems the subletting to be in the best interest of the state.

(3) Let for a period not to exceed five years, and at less than fair market rental, any real property of the state to any public agency for use as nonprofit, self-help community vegetable gardens and related supporting activities, provided:

(A) Parcels let for those purposes shall not exceed five acres.

(B) Two or more contiguous parcels shall not be let for those purposes.

(C) Parcels shall be let subject to applicable local zoning ordinances.

(b) The Legislature finds and declares that any leases let at less than fair market rental pursuant to paragraph (3) of subdivision (a) shall be of broad public benefit.

(c) Any money received in connection with paragraph (1) of subdivision (a) shall be deposited in the Property Acquisition Law Money Account and shall be available to the department upon appropriation by the Legislature.

(d) All money received pursuant to paragraph (2) of subdivision (a) shall be accounted for to the Controller at the close of each month and on order of the Controller be paid into the State Treasury and credited to the appropriation from which the cost of the lease was paid.

(e) Notwithstanding subdivisions (a) through (d), inclusive, to promote employee wellness initiatives at facilities operated by the California Department of Corrections and Rehabilitation, the director may determine that allowing a lease to be made at less than fair market value is in the state's best interest. The director will base this determination upon the California Department of Corrections and Rehabilitation's written request which justifies the letting of a lease at below fair market value. Notwithstanding subdivision (a), such leases may be entered into for a period of not to exceed ten years. The criteria and the process for exempting a lease from fair market value shall be published in the State Administrative Manual.

(f) The Department of General Services shall report annually on all new leases let at less than fair market rental value pursuant to subdivision (e). Any such report shall include the lease terms; the reasons, where applicable, the California Department of Corrections and Rehabilitation requested a rental rate at less than fair market value; the justification for letting at a lesser rate; and the approach used to determine the final rental rate.