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AB-2151 Hunting: reduced-price antelope, elk, bear, and bighorn sheep tags: resident junior hunters.
(2017-2018)

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Date Published: 09/07/2018 09:00 PM

Assembly Bill No. 2151

CHAPTER 295

An act to amend Section 3031 of, to amend, repeal, and add Sections 331, 332, 4751, and 4902 of, and to add Section 3034 to, the Fish and Game Code, relating to hunting.

[Approved by Governor September 07, 2018. Filed with Secretary of State September 07, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2151, Gray. Hunting: reduced-price antelope, elk, bear, and bighorn sheep tags: resident junior hunters.

Under existing law, a hunting license grants the privilege to take birds and mammals. Existing law provides for the issuance by the Department of Fish and Wildlife of tags that are required in addition to a hunting license to take specified animals, including antelope, elk, bears, and bighorn rams. Existing law sets the fee for tags for those animals for a resident of the state as follows: \$55 for an antelope tag, \$165 for an elk tag, \$15 for a bear tag, and \$400 for a bighorn sheep tag. Existing law requires those fees to be adjusted annually pursuant to a specified index.

This bill would, beginning July 1, 2019, and until July 1, 2025, reduce the fee required to obtain an antelope, elk, bear, or bighorn sheep tag to \$20, as adjusted pursuant to the specified index, for a person who is a resident of the state and who possesses a junior hunting license. The bill would require the department to prepare a report to the Legislature no later than July 1, 2024, on the effect of these reduced-price tags on rates of participation by junior hunters, the Big Game Management Account, and the Fish and Game Preservation Fund. The bill would make other related and conforming changes.

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

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

SECTION 1. Section 331 of the Fish and Game Code is amended to read:

331. (a) The commission may determine and fix the area or areas, the seasons and hours, the bag and possession limit, and the sex and total number of pronghorn antelope (*Antilocapra americana*) that may be taken under regulations that the commission may adopt from time to time. Only a person possessing a valid hunting license may obtain a tag for the taking of pronghorn antelope.

(b) The department may issue a pronghorn antelope tag upon payment of a fee. The fee for a pronghorn antelope tag for a resident of the state, except for a pronghorn antelope tag issued to a resident junior hunter, shall be fifty-five dollars (\$55), as adjusted under Section 713. The fee for a pronghorn antelope tag for a resident junior hunter shall be twenty dollars (\$20), as adjusted under Section 713. On or before July 1, 2007, the commission shall, by regulation, fix the fee for a nonresident of the state at not less than a fee of three hundred fifty dollars (\$350), as adjusted under Section 713. The fees shall be deposited in the

Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended, in addition to moneys budgeted for salaries of persons in the department as set forth in Section 3953.

(c) The commission shall direct the department to annually authorize not less than one pronghorn antelope tag or more than 1 percent of the total number of tags available for the purpose of raising funds for programs and projects to benefit pronghorn antelope. These tags may be sold at auction to residents or nonresidents of the state or by another method and are not subject to the fee limitation prescribed in subdivision (b). All revenues from sales pursuant to this subdivision shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(d) The commission shall direct the department to annually authorize one pronghorn antelope tag of the total number of tags available for issuance to nonresidents of the state.

(e) This section shall become inoperative on July 1, 2025, and, as of January 1, 2026, is repealed.

SEC. 2. Section 331 is added to the Fish and Game Code, to read:

331. (a) The commission may determine and fix the area or areas, the seasons and hours, the bag and possession limit, and the sex and total number of pronghorn antelope (*Antilocapra americana*) that may be taken under regulations that the commission may adopt from time to time. Only a person possessing a valid hunting license, who has not received a pronghorn antelope tag under these provisions during a period of time specified by the commission, may obtain a tag for the taking of pronghorn antelope.

(b) The department may issue a pronghorn antelope tag upon payment of a fee. The fee for a pronghorn antelope tag shall be fifty-five dollars (\$55) for a resident of the state, as adjusted under Section 713. On or before July 1, 2007, the commission shall, by regulation, fix the fee for a nonresident of the state at not less than a fee of three hundred fifty dollars (\$350), as adjusted under Section 713. The fees shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended, in addition to moneys budgeted for salaries of persons in the department as set forth in Section 3953.

(c) The commission shall direct the department to annually authorize not less than one pronghorn antelope tag or more than 1 percent of the total number of tags available for the purpose of raising funds for programs and projects to benefit pronghorn antelope. These tags may be sold at auction to residents or nonresidents of the state or by another method and are not subject to the fee limitation prescribed in subdivision (b). All revenues from sales pursuant to this subdivision shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(d) The commission shall direct the department to annually authorize one pronghorn antelope tag of the total number of tags available for issuance to nonresidents of the state.

(e) This section shall become operative on July 1, 2025.

SEC. 3. Section 332 of the Fish and Game Code is amended to read:

332. (a) The commission may determine and fix the area or areas, the seasons and hours, the bag and possession limit, and the number of elk that may be taken under rules and regulations that the commission may adopt from time to time. The commission may authorize the taking of tule elk if the average of the department's statewide tule elk population estimates exceeds 2,000 animals, or the Legislature determines, pursuant to the reports required by Section 3951, that suitable areas cannot be found in the state to accommodate that population in a healthy condition.

(b) Only a person possessing a valid hunting license may obtain a tag for the taking of elk.

(c) The department may issue an elk tag upon payment of a fee. The fee for an elk tag for a resident of the state, except for an elk tag issued to a resident junior hunter, shall be one hundred sixty-five dollars (\$165), as adjusted under Section 713. The fee for an elk tag for a resident junior hunter shall be twenty dollars (\$20), as adjusted under Section 713. On or before July 1, 2007, the commission shall, by regulation, fix the fee for a nonresident of the state at not less than one thousand fifty dollars (\$1,050), as adjusted under Section 713. The fees shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended, in addition to moneys budgeted for salaries of the department as set forth in Section 3953.

(d) The commission shall annually direct the department to authorize not more than three elk tags for the purpose of raising funds for programs and projects to benefit elk. These tags may be sold at auction to residents or nonresidents of the state or by another method and are not subject to the fee limitation prescribed in subdivision (c). All revenues from sales pursuant to this subdivision

shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(e) The commission shall direct the department to annually authorize one elk tag of the total number of tags available for issuance to nonresidents of the state.

(f) This section shall become inoperative on July 1, 2025, and, as of January 1, 2026, is repealed.

SEC. 4. Section 332 is added to the Fish and Game Code, to read:

332. (a) The commission may determine and fix the area or areas, the seasons and hours, the bag and possession limit, and the number of elk that may be taken under rules and regulations that the commission may adopt from time to time. The commission may authorize the taking of tule elk if the average of the department's statewide tule elk population estimates exceeds 2,000 animals, or the Legislature determines, pursuant to the reports required by Section 3951, that suitable areas cannot be found in the state to accommodate that population in a healthy condition.

(b) Only a person possessing a valid hunting license may obtain a tag for the taking of elk.

(c) The department may issue an elk tag upon payment of a fee. The fee for an elk tag shall be one hundred sixty-five dollars (\$165) for a resident of the state, as adjusted under Section 713. On or before July 1, 2007, the commission shall, by regulation, fix the fee for a nonresident of the state at not less than one thousand fifty dollars (\$1,050), as adjusted under Section 713. The fees shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended, in addition to moneys budgeted for salaries of the department as set forth in Section 3953.

(d) The commission shall annually direct the department to authorize not more than three elk tags for the purpose of raising funds for programs and projects to benefit elk. These tags may be sold at auction to residents or nonresidents of the state or by another method and are not subject to the fee limitation prescribed in subdivision (c). All revenues from sales pursuant to this subdivision shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(e) The commission shall direct the department to annually authorize one elk tag of the total number of tags available for issuance to nonresidents of the state.

(f) This section shall become operative on July 1, 2025.

SEC. 5. Section 3031 of the Fish and Game Code, as amended by Section 1 of Chapter 456 of the Statutes of 2014, is amended to read:

3031. (a) A hunting license, granting the privilege to take birds and mammals, shall be issued to any of the following:

(1) A resident of this state, 18 years of age or older, upon the payment of a base fee of thirty-one dollars and twenty-five cents (\$31.25).

(2) A resident or nonresident, who is under 18 years of age on July 1 of the licensing year, upon the payment of a base fee of eight dollars and twenty-five cents (\$8.25), regardless of whether that person applies before or after July 1 of that year. A license issued pursuant to this paragraph shall be known as a junior hunting license and a person who holds one of these licenses shall be known as a junior hunter.

(3) A nonresident, 18 years of age or older, upon the payment of a base fee of one hundred eight dollars and fifty cents (\$108.50).

(4) A nonresident, 18 years of age or older, valid only for two consecutive days upon payment of the fee set forth in paragraph (1). A license issued pursuant to this paragraph is valid only for taking resident and migratory game birds, resident small game mammals, fur-bearing mammals, and nongame mammals, as defined in this code or in regulations adopted by the commission.

(5) A nonresident, valid for one day and only for the taking of domesticated game birds and pheasants while on the premises of a licensed game bird club, or for the taking of domesticated migratory game birds in areas licensed for shooting those birds, upon the payment of a base fee of fifteen dollars (\$15).

(b) The base fees specified in this section are applicable to the 2004 license year, and shall be adjusted annually thereafter pursuant to Section 713.

(c) The commission shall adjust the amount of the fees specified in subdivision (b), as necessary, to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to those licenses.

(d) A person who is 16 or 17 years of age, is in possession of a valid junior hunting license, and is issued an entry permit pursuant to Section 551 of Title 14 of the California Code of Regulations may hunt in the area described in the entry permit unaccompanied by a person over 18 years of age but shall not be accompanied by a person under 16 years of age.

(e) This section shall remain in effect only until July 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2021, deletes or extends that date.

SEC. 6. Section 3031 of the Fish and Game Code, as added by Section 2 of Chapter 456 of the Statutes of 2014, is amended to read:

3031. (a) A hunting license, granting the privilege to take birds and mammals, shall be issued to any of the following:

(1) A resident of this state, 16 years of age or older, upon the payment of a base fee of thirty-one dollars and twenty-five cents (\$31.25).

(2) A resident or nonresident, who is under 16 years of age on July 1 of the licensing year, upon the payment of a base fee of eight dollars and twenty-five cents (\$8.25), regardless of whether that person applies before or after July 1 of that year. A license issued pursuant to this paragraph shall be known as a junior hunting license and a person who holds one of these licenses shall be known as a junior hunter.

(3) A nonresident, 16 years of age or older, upon the payment of a base fee of one hundred eight dollars and fifty cents (\$108.50).

(4) A nonresident, 16 years of age or older, valid only for two consecutive days upon payment of the fee set forth in paragraph (1). A license issued pursuant to this paragraph is valid only for taking resident and migratory game birds, resident small game mammals, fur-bearing mammals, and nongame mammals, as defined in this code or in regulations adopted by the commission.

(5) A nonresident, valid for one day and only for the taking of domesticated game birds and pheasants while on the premises of a licensed game bird club, or for the taking of domesticated migratory game birds in areas licensed for shooting those birds, upon the payment of a base fee of fifteen dollars (\$15).

(b) The base fees specified in this section are applicable to the 2004 license year, and shall be adjusted annually thereafter pursuant to Section 713.

(c) The commission shall adjust the amount of the fees specified in subdivision (b), as necessary, to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to those licenses.

(d) A person who is 16 or 17 years of age, is in possession of a valid resident or nonresident hunting license, and is issued an entry permit pursuant to Section 551 of Title 14 of the California Code of Regulations may hunt in the area described in the entry permit unaccompanied by a person over 18 years of age but shall not be accompanied by a person under 16 years of age.

(e) This section shall become operative on July 1, 2020.

SEC. 7. Section 3034 is added to the Fish and Game Code, to read:

3034. (a) The department shall prepare a report to the Legislature no later than July 1, 2024, on the effects of the reduced-price tags issued pursuant to Sections 331, 332, 4751, and 4902 of the Fish and Game Code on rates of participation by junior hunters, the Big Game Management Account, and the Fish and Game Preservation Fund. The department shall collect relevant, sufficient, and appropriate data to evaluate the reduced-price tag program in the report, and make recommendations on improving the cost-effectiveness of those tags.

(b) The report required to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(c) Pursuant to Section 10231.5 of the Government Code, this section is repealed on July 1, 2028.

SEC. 8. Section 4751 of the Fish and Game Code is amended to read:

4751. (a) Any resident of this state, 18 years of age or older, who possesses a valid hunting license, may procure the number of bear tags corresponding to the number of bear that may legally be taken by one person during the current license year, upon payment of a base fee of fifteen dollars (\$15), as adjusted under Section 713, for each bear tag.

(b) Any resident of this state, who possesses a valid junior hunting license and is at least 12 years of age, may procure the number of bear tags corresponding to the number of bear that may legally be taken by one person during the current license year,

upon payment of a base fee of twenty dollars (\$20), as adjusted under Section 713, for each bear tag.

(c) Any nonresident of this state, 12 years of age or older, who possesses a valid California hunting license, may procure the number of bear tags corresponding to the number of bear that may be legally taken by one person during the current license year upon payment of the base fee of one hundred five dollars (\$105), as adjusted under Section 713, for each bear tag.

(d) Fee revenues collected pursuant to this section shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(e) This section shall become inoperative on July 1, 2025, and, as of January 1, 2026, is repealed.

SEC. 9. Section 4751 is added to the Fish and Game Code, to read:

4751. (a) Any resident of this state, 12 years of age or older, who possesses a valid hunting license, may procure the number of bear tags corresponding to the number of bear that may legally be taken by one person during the current license year, upon payment of a base fee of fifteen dollars (\$15), as adjusted under Section 713, for each bear tag. Fee revenues collected pursuant to this subdivision shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(b) Any nonresident of this state, 12 years of age or older, who possesses a valid California hunting license, may procure the number of bear tags corresponding to the number of bear that may be legally taken by one person during the current license year upon payment of the base fee of one hundred five dollars (\$105), as adjusted under Section 713, for each bear tag. Fee revenues collected pursuant to this subdivision shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(c) This section shall become operative on July 1, 2025.

SEC. 10. Section 4902 of the Fish and Game Code is amended to read:

4902. (a) The commission may adopt all regulations necessary to provide for biologically sound management of Nelson bighorn sheep (subspecies *Ovis canadensis nelsoni*).

(b) (1) After the plans developed by the department pursuant to Section 4901 for the management units have been submitted, the commission may authorize sport hunting of mature Nelson bighorn rams. Before authorizing the sport hunting, the commission shall take into account the Nelson bighorn sheep population statewide, including the population in the management units designated for hunting.

(2) Notwithstanding Section 219, the commission shall not, however, adopt regulations authorizing the sport hunting in a single year of more than 15 percent of the mature Nelson bighorn rams in a single management unit, based on the department's annual estimate of the population in each management unit.

(c) The fee for a bighorn ram tag for a resident of the state, except for a bighorn ram tag issued to a resident junior hunter, to take a Nelson bighorn ram shall be four hundred dollars (\$400), as adjusted pursuant to Section 713. The fee for a bighorn ram tag for a resident junior hunter to take a Nelson bighorn ram shall be twenty dollars (\$20), as adjusted under Section 713. On or before July 1, 2015, the commission shall, by regulation, fix the fee for a nonresident of the state at not less than one thousand five hundred dollars (\$1,500), which shall be adjusted annually pursuant to Section 713. Fee revenues shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(d) The commission shall annually direct the department to authorize not more than three of the tags available for issuance that year to take Nelson bighorn rams for the purpose of raising funds for programs and projects to benefit Nelson bighorn sheep. These tags may be sold to residents or nonresidents of the State of California at auction or by another method and shall not be subject to the fee limitation prescribed in subdivision (c). Commencing with tags sold for the 1993 hunting season, if more than one tag is authorized, the department shall designate a nonprofit organization organized pursuant to the laws of this state, or the California chapter of a nonprofit organization organized pursuant to the laws of another state, as the seller of not less than one of these tags. The number of tags authorized for the purpose of raising funds pursuant to this subdivision, if more than one, shall not exceed 15 percent of the total number of tags authorized pursuant to subdivision (b). All revenue from the sale of tags pursuant to this subdivision shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(e) No tag issued pursuant to this section shall be valid unless and until the licensee has successfully completed a prehunt hunter familiarization and orientation and has demonstrated to the department that he or she is familiar with the requisite equipment for

participating in the hunting of Nelson bighorn rams, as determined by the commission. The orientation shall be conducted by the department at convenient locations and times preceding each season, as determined by the commission.

(f) This section shall become inoperative on July 1, 2025, and, as of January 1, 2026, is repealed.

SEC. 11. Section 4902 is added to the Fish and Game Code, to read:

4902. (a) The commission may adopt all regulations necessary to provide for biologically sound management of Nelson bighorn sheep (subspecies *Ovis canadensis nelsoni*).

(b) (1) After the plans developed by the department pursuant to Section 4901 for the management units have been submitted, the commission may authorize sport hunting of mature Nelson bighorn rams. Before authorizing the sport hunting, the commission shall take into account the Nelson bighorn sheep population statewide, including the population in the management units designated for hunting.

(2) Notwithstanding Section 219, the commission shall not, however, adopt regulations authorizing the sport hunting in a single year of more than 15 percent of the mature Nelson bighorn rams in a single management unit, based on the department's annual estimate of the population in each management unit.

(c) The fee for a bighorn ram tag to take a Nelson bighorn ram shall be four hundred dollars (\$400) for a resident of the state, which shall be adjusted annually pursuant to Section 713. On or before July 1, 2015, the commission shall, by regulation, fix the fee for a nonresident of the state at not less than one thousand five hundred dollars (\$1,500), which shall be adjusted annually pursuant to Section 713. Fee revenues shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(d) The commission shall annually direct the department to authorize not more than three of the tags available for issuance that year to take Nelson bighorn rams for the purpose of raising funds for programs and projects to benefit Nelson bighorn sheep. These tags may be sold to residents or nonresidents of the State of California at auction or by another method and shall not be subject to the fee limitation prescribed in subdivision (c). Commencing with tags sold for the 1993 hunting season, if more than one tag is authorized, the department shall designate a nonprofit organization organized pursuant to the laws of this state, or the California chapter of a nonprofit organization organized pursuant to the laws of another state, as the seller of not less than one of these tags. The number of tags authorized for the purpose of raising funds pursuant to this subdivision, if more than one, shall not exceed 15 percent of the total number of tags authorized pursuant to subdivision (b). All revenue from the sale of tags pursuant to this subdivision shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(e) No tag issued pursuant to this section shall be valid unless and until the licensee has successfully completed a prehunt hunter familiarization and orientation and has demonstrated to the department that he or she is familiar with the requisite equipment for participating in the hunting of Nelson bighorn rams, as determined by the commission. The orientation shall be conducted by the department at convenient locations and times preceding each season, as determined by the commission.

(f) This section shall become operative on July 1, 2025.

SEC. 12. This act shall become operative on July 1, 2019.