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**AB-2745 State parks: merchandise sales.** (2017-2018)

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**Assembly Bill No. 2745**

**CHAPTER 345**

An act to add Section 5010.4 to the Public Resources Code, relating to state parks.

[ Approved by Governor September 11, 2018. Filed with Secretary of State September 11, 2018. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2745, Carrillo. State parks: merchandise sales.

Existing law requires the director of the Department of Parks and Recreation to promote and regulate the use of the state park system in a manner that conserves the scenery, natural and historic resources, and wildlife in the individual units of the system for the enjoyment of future generations. Existing law authorizes the department to develop a revenue generation program as an essential component of a long-term sustainable park funding strategy. Existing law authorizes the department to enter into contracts with natural persons, corporations, partnerships, and associations for the construction, maintenance, and operation of concessions within units of the state park system for the safety and convenience of the general public in the use and enjoyment of, and the enhancement of recreational and educational experiences at, units of the state park system.

This bill would authorize the department to license, sell, or license and sell its branded merchandise, images, and other state-park-related merchandise, directly to the public for revenue generation, if the department is unable to obtain through good faith efforts a concession or cooperating association agreement to provide these services. The bill would authorize the department to enter into agreements with individuals, public agencies, qualified nonprofit organizations, and other private entities for sale of department branded merchandise, images, or other state-park-related merchandise to the public. The bill would require all revenues and commissions received pursuant to these provisions to be deposited into specified funds in the State Treasury.

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

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

**SECTION 1.** Section 5010.4 is added to the Public Resources Code, to read:

**5010.4.** (a) The department may license, sell, or both, its branded merchandise, images, and other state-park-related merchandise, directly to the public for revenue generation, if the department is unable to obtain through good faith efforts a concession or cooperating association agreement to provide these services.

(b) (1) The department may enter into agreements with individuals, public agencies, qualified nonprofit organizations, and other private entities for sale of department branded merchandise, images, or other state-park-related merchandise to the public.

(2) The department shall receive fair and reasonable revenues and commissions for the sales and agreements to sell merchandise.

(c) (1) All revenues and commissions received by the department as a result of this section shall be paid into the State Treasury to the credit of the State Parks and Recreation Fund, pursuant to Section 5010.

(2) Notwithstanding paragraph (1), all revenues and commissions received by the department from the state vehicular recreation areas as a result of this section shall be paid into the State Treasury to the credit of the Off-Highway Vehicle Trust Fund, pursuant to Section 38225 of the Vehicle Code.