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SB-856 Wild pigs: validations. (2021-2022)

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Senate Bill No. 856

CHAPTER 469

An act to amend Sections 3031 and 4181 of, to amend and repeal Section 4651 of, to amend, repeal, and add Sections 3003.1, 3004.5, 3005.5, 3031.2, 3040, 3950, 3953, 4150, 4304, 4650, 4652, 4653, 4654, 4655, and 4657 of, to add Sections 4651.5 and 4652.5 to, and to add Chapter 1.5 (commencing with Section 3965) to Part 3 of Division 4 of, the Fish and Game Code, and to add Article 5 (commencing with Section 10791) to Chapter 1 of Part 3 of Division 5 of the Food and Agricultural Code, relating to wild pigs.

[Approved by Governor September 22, 2022. Filed with Secretary of State September 22, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 856, Dodd. Wild pigs: validations.

(1) Existing law defines the term "wild pig" for purposes of managing, taking, or hunting that species and classifies the wild pig as a game mammal. Under existing law, a mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. Existing law requires the Department of Fish and Wildlife to prepare a plan for the management of wild pigs and lists certain content that may be included in the plan.

Existing law requires a person to procure, as specified, either a hunting license and a wild pig tag or a depredation permit in order to take a wild pig. However, existing law provides that any wild pig that is encountered while in the act of inflicting injury to, or damaging or destroying, or threatening to immediately damage or destroy, land or other property may be taken immediately by the owner or the owner's employee or agent, as specified. Under existing law, a violation of the Fish and Game Code is a crime.

This bill would revise and recast the provisions applicable to wild pigs by, among other things, specifying that the wild pig is not a game mammal or nongame mammal, but rather is an exotic game mammal, a term defined to include wild pigs, feral pigs, and wild boar. The bill would expand the definition of "wild pig" to include any pig that has 2 or more specified phenotypical characteristics and that does not have a permanent mark or visible tag, as specified, and any free-roaming pig, feral pig, or European wild boar having no visible tags, markings, or characteristics indicating that the pig or boar is from a domestic herd. The bill would also prohibit the use of poison to take exotic game mammals. The bill would make conforming changes to reflect the creation of the separate category of exotic game mammal.

This bill would replace the wild pig tag requirement with a wild pig validation that would authorize a person who procures the validation to take any number of wild pigs specified by the Fish and Game Commission during the license year of the validation. The bill would set the price of a wild pig validation at \$25 for residents and \$90 for nonresidents for the 2024 license year, and would provide for increases pursuant to a specified inflation index.

This bill would prohibit the department from limiting the number of wild pigs to be taken under a depredation permit or based on the sex of the wild pig.

This bill would make it unlawful to intentionally or knowingly release any hog, boar, pig, or swine to live in a wild or feral state upon public or private land and would make it unlawful to engage in, sponsor, or assist in the operation of a contained hunting preserve, as defined, of wild pig, feral pig, European wild boar, or domestic swine within this state. The bill would exempt from these prohibitions an individual or entity that operated a contained hunting preserve on or before January 1, 2022, provided the individual or entity shall not operate more acres than the number of acres the individual or entity had in operation on or before January 1, 2022. The bill would prohibit an individual or entity that operated a contained hunting preserve of wild pig, feral pig, European wild boar, or domestic swine on or before January 1, 2022, from selling, transferring, or passing on the contained hunting preserve operation.

This bill would require the commission to adopt regulations governing the transportation of a wild pig carcass and the reporting of any take of a wild pig, as specified. The bill would, beginning January 1, 2023, make the requirement that the department prepare a plan for the management of wild pigs contingent on an appropriation for that purpose, and would repeal this plan requirement on July 1, 2024.

This bill would make other nonsubstantive and conforming changes to these provisions.

These provisions, except where otherwise noted, would become operative on July 1, 2024.

Because a violation of these new provisions would be a crime, this bill would impose a state-mandated local program.

(2) Under existing law, a hunting license grants the privilege to take birds and mammals. Existing law requires the Department of Fish and Wildlife to issue an annual hunting license upon payment of a specified fee that varies in amount depending on whether the applicant is a resident of the state. Under existing law, an annual hunting license is valid for a term of one year beginning on July 1 or for the remainder of the term if issued after July 1. Existing law requires the department to issue a reduced-fee annual hunting license, known as a junior hunting license, upon payment of a specified fee, to a resident or nonresident who is under 16 years of age on July 1 of the licensing year for which that person seeks a license. Existing law also requires the department to issue a nonresident 2-day hunting license valid only for taking certain animals.

This bill would add wild pigs to the list of animals authorized to be taken under a nonresident 2-day hunting license.

(3) Existing law requires that funds deposited in the Big Game Management Account be available for expenditure upon appropriation by the Legislature to the Department of Fish and Wildlife only for certain purposes, including, among other things, to implement programs to benefit wild pigs.

This bill, beginning July 1, 2024, would eliminate the authorization to expend those funds to implement programs to benefit wild pigs, and instead authorize their expenditure for the use of hunting to manage wild pigs.

(4) Existing law makes it unlawful for any person to import any swine into this state except for immediate slaughter unless the person procures a health certificate and an import permit from the Department of Food and Agriculture prior to the shipment or movement of the swine. Under existing law, a violation of the Food and Agricultural Code is a crime.

This bill, beginning July 1, 2024, would require the Department of Food and Agriculture to adopt regulations to require a person who possesses a domestic swine that has 2 or more phenotypical characteristics, as described, of a wild pig, to identify the swine with a brand, tattoo, or other permanent mark or visible tag approved by the department. Because a violation of this provision would be a crime, this bill would impose a state-mandated local program.

(5) Existing law provides that, if a person with a lifetime hunting license pays a premium, the person shall annually be issued a deer tag application and 5 wild pig tags.

Beginning July 1, 2024, this bill would instead provide for a person who pays the premium be issued a deer tag and a wild pig validation.

(6) 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.

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

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

SECTION 1. Section 3003.1 of the Fish and Game Code is amended to read:

3003.1. (a) Notwithstanding Section 1001, 1002, 4002, 4004, 4007, 4008, 4009.5, 4152, 4180, or 4181:

(1) It is unlawful for any person to trap for the purposes of recreation or commerce in fur any fur-bearing mammal or nongame mammal with any body-gripping trap. A body-gripping trap is one that grips the mammal's body or body part, including, but not limited to, steel-jawed leghold traps, padded-jaw leghold traps, conibear traps, and snares. Cage and box traps, nets, suitcase-type live beaver traps, and common rat and mouse traps shall not be considered body-gripping traps.

(2) It is unlawful for any person to buy, sell, barter, or otherwise exchange for profit, or to offer to buy, sell, barter, or otherwise exchange for profit, the raw fur, as defined by Section 4005, of any fur-bearing mammal or nongame mammal that was trapped in this state, with a body-gripping trap as described in paragraph (1).

(3) It is unlawful for any person, including an employee of the federal, state, county, or municipal government, to use or authorize the use of any steel-jawed leghold trap, padded or otherwise, to capture any game mammal, fur-bearing mammal, nongame mammal, or protected mammal, or any dog or cat. The prohibition in this subdivision does not apply to federal, state, county, or municipal government employees or their duly authorized agents in the extraordinary case where the otherwise prohibited padded-jaw leghold trap is the only method available to protect human health or safety.

(4) For purposes of this section, fur-bearing mammals, game mammals, nongame mammals, and protected mammals are those mammals so defined by statute on January 1, 1997.

(b) Nothing in this section authorizes any person to trap for purposes of recreation or commerce in fur any fur-bearing mammal or nongame mammal by any other means.

(c) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 2. Section 3003.1 is added to the Fish and Game Code, to read:

3003.1. (a) Notwithstanding Section 1001, 1002, 4002, 4004, 4007, 4008, 4009.5, 4152, 4180, or 4181:

(1) It is unlawful for any person to trap for the purposes of recreation or commerce in fur any fur-bearing mammal or nongame mammal with any body-gripping trap. A body-gripping trap is one that grips the mammal's body or body part, including, but not limited to, steel-jawed leghold traps, padded-jaw leghold traps, conibear traps, and snares. Cage and box traps, nets, suitcase-type live beaver traps, and common rat and mouse traps shall not be considered body-gripping traps.

(2) It is unlawful for any person to buy, sell, barter, or otherwise exchange for profit, or to offer to buy, sell, barter, or otherwise exchange for profit, the raw fur, as defined by Section 4005, of any fur-bearing mammal or nongame mammal that was trapped in this state, with a body-gripping trap as described in paragraph (1).

(3) It is unlawful for any person, including an employee of the federal, state, county, or municipal government, to use or authorize the use of any steel-jawed leghold trap, padded or otherwise, to capture any game mammal, exotic game mammal, fur-bearing mammal, nongame mammal, or protected mammal, or any dog or cat. The prohibition in this subdivision does not apply to federal, state, county, or municipal government employees or their duly authorized agents in the extraordinary case where the otherwise prohibited padded-jaw leghold trap is the only method available to protect human health or safety.

(4) For purposes of this section, fur-bearing mammals, game mammals, nongame mammals, and protected mammals are those mammals so defined by statute on January 1, 1997, except as regards exotic game mammals.

(b) Nothing in this section authorizes any person to trap for purposes of recreation or commerce in fur any fur-bearing mammal or nongame mammal by any other means.

(c) This section shall become operative on July 1, 2024.

SEC. 3. Section 3004.5 of the Fish and Game Code is amended to read:

3004.5. (a) (1) Nonlead centerfire rifle and pistol ammunition, as determined by the commission, shall be required when taking big game, as defined in the department's mammal hunting regulations (14 Cal. Code Regs. 350), with rifle or pistol, and when taking coyote, within the California condor range.

(2) For purposes of this section, "California condor range" means:

(A) The department's deer hunting zone A South, but excluding Santa Cruz, Alameda, Contra Costa, San Mateo, and San Joaquin Counties, areas west of Highway 101 within Santa Clara County, and areas between Highway 5 and Highway 99 within Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern Counties.

(B) Areas within deer hunting zones D7, D8, D9, D10, D11, and D13.

(3) The requirements of this subdivision shall remain in effect in the California condor range unless and until the more restrictive nonlead prohibitions required pursuant to subdivision (b) are implemented.

(b) Except as provided in subdivision (j), and as soon as is practicable as implemented by the commission pursuant to subdivision (i), but by no later than July 1, 2019, nonlead ammunition, as determined by the commission, shall be required when taking all wildlife, including game mammals, game birds, nongame birds, and nongame mammals, with any firearm.

(c) (1) The commission shall maintain, by regulation, a public process to certify ammunition as nonlead ammunition, and shall define, by regulation, nonlead ammunition as including only ammunition in which there is no lead content, excluding the presence of trace amounts of lead. The commission shall establish and annually update a list of certified ammunition.

(2) The list of certified ammunition shall include, but not be limited to, any federally approved nontoxic shotgun ammunition.

(d) (1) To the extent that funding is available, the commission shall establish a process that will provide hunters with nonlead ammunition at no or reduced charge. The process shall provide that the offer for nonlead ammunition at no or reduced charge may be redeemed through a coupon sent to a permit holder with the appropriate permit tag. If available funding is not sufficient to provide nonlead ammunition at no charge, the commission shall set the value of the reduced charge coupon at the maximum value possible through available funding, up to the average cost within this state for nonlead ammunition, as determined by the commission.

(2) The nonlead ammunition coupon program described in paragraph (1) shall be implemented only to the extent that sufficient funding, as determined by the Department of Finance, is obtained from local, federal, public, or other nonstate sources in order to implement the program.

(3) If the nonlead ammunition coupon program is implemented, the commission shall issue a report on the usage and redemption rates of ammunition coupons. The report shall cover calendar years 2008, 2009, and 2012. Each report shall be issued by June of the following year.

(e) The commission shall issue a report on the levels of lead found in California condors. This report shall cover calendar years 2008, 2009, and 2012. Each report shall be issued by June of the following year.

(f) The department shall notify those hunters who may be affected by this section.

(g) A person who violates any provision of this section is guilty of an infraction punishable by a fine of five hundred dollars (\$500). A second or subsequent offense shall be punishable by a fine of not less than one thousand dollars (\$1,000) or more than five thousand dollars (\$5,000).

(h) This section does not apply to government officials or their agents when carrying out a statutory duty required by law.

(i) The commission shall promulgate regulations by July 1, 2015, that phase in the requirements of this section. The requirements of this section shall be fully implemented statewide by no later than July 1, 2019. If any of the requirements of this section can be implemented practicably, in whole or in part, in advance of July 1, 2019, the commission shall implement those requirements. The commission shall not reduce or eliminate any existing regulatory restrictions on the use of lead ammunition in California condor range unless or until the additional requirements for use of nonlead ammunition as required by this section are implemented.

(j) (1) The prohibition in subdivision (b) shall be temporarily suspended for a specific hunting season and caliber upon a finding by the director that nonlead ammunition of a specific caliber is not commercially available from any manufacturer because of federal prohibitions relating to armor-piercing ammunition pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code.

(2) Notwithstanding a suspension pursuant to paragraph (1), nonlead ammunition shall be used when taking big game mammals, nongame birds, or nongame mammals in the California condor range, as defined in subdivision (a).

(k) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 4. Section 3004.5 is added to the Fish and Game Code, to read:

3004.5. (a) (1) Nonlead centerfire rifle and pistol ammunition, as determined by the commission, shall be required when taking big game, as defined in the department's mammal hunting regulations (14 Cal. Code Regs. 350), with rifle or pistol, and when taking coyote, within the California condor range.

(2) For purposes of this section, "California condor range" means:

(A) The department's deer hunting zone A South, but excluding Santa Cruz, Alameda, Contra Costa, San Mateo, and San Joaquin Counties, areas west of Highway 101 within Santa Clara County, and areas between Highway 5 and Highway 99

within Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern Counties.

(B) Areas within deer hunting zones D7, D8, D9, D10, D11, and D13.

(3) The requirements of this subdivision shall remain in effect in the California condor range unless and until the more restrictive nonlead prohibitions required pursuant to subdivision (b) are implemented.

(b) Except as provided in subdivision (j), and as soon as is practicable as implemented by the commission pursuant to subdivision (i), but by no later than July 1, 2019, nonlead ammunition, as determined by the commission, shall be required when taking all wildlife, including game mammals, exotic game mammals, game birds, nongame birds, and nongame mammals, with any firearm.

(c) (1) The commission shall maintain, by regulation, a public process to certify ammunition as nonlead ammunition, and shall define, by regulation, nonlead ammunition as including only ammunition in which there is no lead content, excluding the presence of trace amounts of lead. The commission shall establish and annually update a list of certified ammunition.

(2) The list of certified ammunition shall include, but not be limited to, any federally approved nontoxic shotgun ammunition.

(d) (1) To the extent that funding is available, the commission shall establish a process that will provide hunters with nonlead ammunition at no or reduced charge. The process shall provide that the offer for nonlead ammunition at no or reduced charge may be redeemed through a coupon sent to a permit holder with the appropriate permit tag. If available funding is not sufficient to provide nonlead ammunition at no charge, the commission shall set the value of the reduced charge coupon at the maximum value possible through available funding, up to the average cost within this state for nonlead ammunition, as determined by the commission.

(2) The nonlead ammunition coupon program described in paragraph (1) shall be implemented only to the extent that sufficient funding, as determined by the Department of Finance, is obtained from local, federal, public, or other nonstate sources in order to implement the program.

(3) If the nonlead ammunition coupon program is implemented, the commission shall issue a report on the usage and redemption rates of ammunition coupons. The report shall cover calendar years 2008, 2009, and 2012. Each report shall be issued by June of the following year.

(e) The commission shall issue a report on the levels of lead found in California condors. This report shall cover calendar years 2008, 2009, and 2012. Each report shall be issued by June of the following year.

(f) The department shall notify those hunters who may be affected by this section.

(g) A person who violates any provision of this section is guilty of an infraction punishable by a fine of five hundred dollars (\$500). A second or subsequent offense shall be punishable by a fine of not less than one thousand dollars (\$1,000) or more than five thousand dollars (\$5,000).

(h) This section does not apply to government officials or their agents when carrying out a statutory duty required by law.

(i) The commission shall promulgate regulations by July 1, 2015, that phase in the requirements of this section. The requirements of this section shall be fully implemented statewide by no later than July 1, 2019. If any of the requirements of this section can be implemented practicably, in whole or in part, in advance of July 1, 2019, the commission shall implement those requirements. The commission shall not reduce or eliminate any existing regulatory restrictions on the use of lead ammunition in California condor range unless or until the additional requirements for use of nonlead ammunition as required by this section are implemented.

(j) (1) The prohibition in subdivision (b) shall be temporarily suspended for a specific hunting season and caliber upon a finding by the director that nonlead ammunition of a specific caliber is not commercially available from any manufacturer because of federal prohibitions relating to armor-piercing ammunition pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code.

(2) Notwithstanding a suspension pursuant to paragraph (1), nonlead ammunition shall be used when taking big game mammals, exotic game mammals, nongame birds, or nongame mammals in the California condor range, as defined in subdivision (a).

(k) This section shall become operative on July 1, 2024.

SEC. 5. Section 3005.5 of the Fish and Game Code is amended to read:

3005.5. (a) It is unlawful to capture any game mammal, game bird, nongame bird, nongame mammal, or furbearer, or to possess or confine any live game mammal, game bird, nongame bird, nongame mammal, or furbearer taken from the wild, except as

provided by this code or regulations made pursuant to this code. Any bird or mammal possessed or confined in violation of this section shall be seized by the department.

(b) The commission may promulgate regulations permitting the temporary confinement of game mammals, game birds, nongame birds, nongame mammals, or furbearers for the purpose of treating the animals, if injured or diseased.

(c) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 6. Section 3005.5 is added to the Fish and Game Code, to read:

3005.5. (a) It is unlawful to capture any game mammal, exotic game mammal, game bird, nongame bird, nongame mammal, or furbearer, or to possess or confine any live game mammal, exotic game mammal, game bird, nongame bird, nongame mammal, or furbearer taken from the wild, except as provided by this code or regulations made pursuant to this code. Any bird or mammal possessed or confined in violation of this section shall be seized by the department.

(b) The commission may promulgate regulations permitting the temporary confinement of game mammals, exotic game mammals, game birds, nongame birds, nongame mammals, or furbearers for the purpose of treating the animals, if injured or diseased.

(c) This section shall become operative on July 1, 2024.

SEC. 7. Section 3031 of the Fish and Game Code 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, wild pigs, 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. 8. Section 3031.2 of the Fish and Game Code is amended to read:

3031.2. (a) In addition to Section 3031, and notwithstanding Section 3037, the department shall issue lifetime hunting licenses under this section. A lifetime hunting license authorizes the taking of birds and mammals anywhere in this state in accordance with the law for purposes other than profit for the life of the person to whom issued unless revoked for a violation of this code or regulations adopted under this code. A lifetime hunting license is not transferable. A lifetime hunting license is valid for one year

from July 1 through June 30 and may be renewed annually, regardless of any lapse of the license, at no additional cost to the licensee. A lifetime hunting license does not include any special tags, stamps, or fees.

(b) A lifetime hunting license may be issued to residents of this state, as follows:

(1) To a person 62 years of age or over, upon payment of a base fee of three hundred sixty-five dollars (\$365).

(2) To a person 40 years of age or over, and less than 62 years of age, upon payment of a base fee of five hundred forty dollars (\$540).

(3) To a person 10 years of age or over, and less than 40 years of age, upon payment of a base fee of six hundred dollars (\$600).

(4) To a person less than 10 years of age, upon payment of a base fee of three hundred sixty-five dollars (\$365).

(c) Upon payment of a base fee of four hundred forty-five dollars (\$445), a person holding a lifetime hunting license shall be issued annually one deer tag application pursuant to subdivision (a) of Section 4332 and five wild pig tags pursuant to Section 4654. Lifetime privileges issued pursuant to this subdivision are not transferable.

(d) Upon payment of a base fee of two hundred ten dollars (\$210), a person holding a lifetime hunting license shall be entitled annually to the privileges afforded to a person holding a state duck stamp or validation issued pursuant to Section 3700.1 and an upland game bird stamp or validation issued pursuant to Section 3682.1. Lifetime privileges issued pursuant to this subdivision are not transferable.

(e) Nothing in this section requires a person less than 16 years of age to obtain a license to take birds or mammals except as required by law.

(f) Nothing in this section exempts an applicant for a license from meeting other qualifications or requirements otherwise established by law for the privilege of sport hunting.

(g) The base fees specified in this section are applicable commencing January 1, 2004, and shall be adjusted annually thereafter pursuant to Section 713.

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

(i) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 9. Section 3031.2 is added to the Fish and Game Code, to read:

3031.2. (a) In addition to Section 3031, and notwithstanding Section 3037, the department shall issue lifetime hunting licenses under this section. A lifetime hunting license authorizes the taking of birds and mammals anywhere in this state in accordance with the law for purposes other than profit for the life of the person to whom issued unless revoked for a violation of this code or regulations adopted under this code. A lifetime hunting license is not transferable. A lifetime hunting license is valid for one year from July 1 through June 30 and may be renewed annually, regardless of any lapse of the license, at no additional cost to the licensee. A lifetime hunting license does not include any special tags, validations, stamps, or fees.

(b) A lifetime hunting license may be issued to residents of this state, as follows:

(1) To a person 62 years of age or over, upon payment of a base fee of three hundred sixty-five dollars (\$365).

(2) To a person 40 years of age or over, and less than 62 years of age, upon payment of a base fee of five hundred forty dollars (\$540).

(3) To a person 10 years of age or over, and less than 40 years of age, upon payment of a base fee of six hundred dollars (\$600).

(4) To a person less than 10 years of age, upon payment of a base fee of three hundred sixty-five dollars (\$365).

(c) (1) Upon payment of a base fee of four hundred forty-five dollars (\$445), a person holding a lifetime hunting license shall annually be issued both of the following:

(A) One deer tag application pursuant to subdivision (a) of Section 4332.

(B) One wild pig validation pursuant to Section 4654.

(2) Lifetime privileges issued pursuant to this subdivision are not transferable.

(d) Upon payment of a base fee of two hundred ten dollars (\$210), a person holding a lifetime hunting license shall be entitled annually to the privileges afforded to a person holding a state duck stamp or validation issued pursuant to Section 3700.1 and an upland game bird stamp or validation issued pursuant to Section 3682.1. Lifetime privileges issued pursuant to this subdivision are not transferable.

(e) Nothing in this section requires a person less than 16 years of age to obtain a license to take birds or mammals except as required by law.

(f) Nothing in this section exempts an applicant for a license from meeting other qualifications or requirements otherwise established by law for the privilege of sport hunting.

(g) The base fees specified in this section are applicable commencing January 1, 2004, and shall be adjusted annually thereafter pursuant to Section 713.

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

(i) This section shall become operative on July 1, 2024.

SEC. 10. Section 3040 of the Fish and Game Code is amended to read:

3040. (a) Notwithstanding Section 3031, the director shall, no later than July 1, 2023, designate two days per year as "Free Hunting Days." The department shall publish the exact dates of the free hunting days in annual publications of the department regarding current hunting regulations.

(b) (1) During a free hunting day, a California resident may hunt if accompanied by a hunter who meets all of following requirements:

(A) Holds a valid hunting license issued by the State of California.

(B) Is at least 21 years of age.

(C) Accompanies only one unlicensed hunter in the field at a time.

(2) An unlicensed hunter shall participate in the free hunting days for only one license year, and shall complete a hunter education course approved by the department and register with the department, or an agent of the department, before participating in a free hunting day. While engaged in hunting activities, an unlicensed hunter and the licensed supervising hunter shall remain in close visual and verbal contact with each other at all times so that the licensed hunter is able to provide adequate direction and immediately assume control of a firearm or other legal method of take used by the unlicensed hunter at any time.

(c) The department shall issue a free registration for free hunting days to any California resident who submits to the department all of the information required to issue an annual California hunting license and provides evidence of completing a course in hunter education as required in paragraph (3) of subdivision (a) of Section 3050. The free hunting day registration shall be valid from the date specified on the registration through the remainder of the license year for which the registration is issued.

(d) An unlicensed hunter who participates in a free hunting day shall have in their possession all of the following:

(1) A registration to hunt on free hunting days for that license year issued by the department pursuant to subdivision (c).

(2) Any required tags or report cards.

(3) Any required federal entitlements.

(4) Any required entry permits.

(e) An unlicensed hunter participating in free hunting days shall take only resident and migratory game birds, resident small game mammals, fur-bearing mammals, nongame mammals, and wild pigs with a wild pig tag.

(f) An unlicensed hunter participating in free hunting days shall not apply for any draw or lottery to obtain any tag, reservation, or other hunting opportunity.

(g) An unlicensed hunter hunting pursuant to this section is subject to all of the limitations, restrictions, conditions, statutes, rules, and regulations applicable to the holder of a valid hunting license, except all of the following:

(1) The requirement to possess a valid hunting license pursuant to Section 3031.

(2) The requirement to possess an upland game bird hunting validation pursuant to Section 3682.1.

(3) The requirement to possess a state duck hunting validation pursuant to Section 3700.1.

(h) An unlicensed hunter, who is 12 years of age or older, in possession of a registration to hunt on free hunting days may purchase one wild pig tag pursuant to Section 4652.

(i) (1) The department may adopt additional minimum requirements and restrictions for a licensed hunter or an unlicensed hunter participating in a free hunting day pursuant to this section.

(2) The department may adopt emergency regulations to implement this section in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The adoption of these regulations is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health and safety, and general welfare. Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, an emergency regulation adopted by the department, or any amendments to it made by the department pursuant to this section, shall stay in effect until revised by the department.

(j) (1) On or before July 1, 2022, the department shall develop a plan to implement this section. The plan shall include, at a minimum, all of the following:

(A) A description of the scope of the emergency regulations necessary to implement this section.

(B) A description of the steps the department will take to implement this section.

(C) An estimate of the total costs to the department to implement this section.

(D) Identification of the source of the funds, including fees paid by hunters, necessary to implement this section.

(2) The estimate of the total costs to the department identified in subparagraph (C) of paragraph (1) shall include, but is not limited to, the costs of pursuing emergency regulations, updating existing or developing new hunting outreach materials for the free hunting days, any necessary revision to the Automated License Data System, and use of any department resources necessary to conduct the free hunting days.

(3) The department shall provide the plan required by paragraph (1) to the relevant legislative policy and budget committees and post the plan on its internet website.

(k) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 11. Section 3040 is added to the Fish and Game Code, to read:

3040. (a) Notwithstanding Section 3031, the director shall, no later than July 1, 2023, designate two days per year as "Free Hunting Days." The department shall publish the exact dates of the free hunting days in annual publications of the department regarding current hunting regulations.

(b) (1) During a free hunting day, a California resident may hunt if accompanied by a hunter who meets all of following requirements:

(A) Holds a valid hunting license issued by the State of California.

(B) Is at least 21 years of age.

(C) Accompanies only one unlicensed hunter in the field at a time.

(2) An unlicensed hunter shall participate in the free hunting days for only one license year, and shall complete a hunter education course approved by the department and register with the department, or an agent of the department, before participating in a free hunting day. While engaged in hunting activities, an unlicensed hunter and the licensed supervising hunter shall remain in close visual and verbal contact with each other at all times so that the licensed hunter is able to provide adequate direction and immediately assume control of a firearm or other legal method of take used by the unlicensed hunter at any time.

(c) The department shall issue a free registration for free hunting days to any California resident who submits to the department all of the information required to issue an annual California hunting license and provides evidence of completing a course in hunter education as required in paragraph (3) of subdivision (a) of Section 3050. The free hunting day registration shall be valid from the date specified on the registration through the remainder of the license year for which the registration is issued.

(d) An unlicensed hunter who participates in a free hunting day shall have in their possession all of the following:

- (1) A registration to hunt on free hunting days for that license year issued by the department pursuant to subdivision (c).
- (2) Any required tags, validations, or report cards.
- (3) Any required federal entitlements.
- (4) Any required entry permits.

(e) An unlicensed hunter participating in free hunting days shall take only resident and migratory game birds, resident small game mammals, fur-bearing mammals, nongame mammals, and wild pigs with a wild pig validation.

(f) An unlicensed hunter participating in free hunting days shall not apply for any draw or lottery to obtain any tag, reservation, or other hunting opportunity.

(g) An unlicensed hunter hunting pursuant to this section is subject to all of the limitations, restrictions, conditions, statutes, rules, and regulations applicable to the holder of a valid hunting license, except all of the following:

- (1) The requirement to possess a valid hunting license pursuant to Section 3031.
- (2) The requirement to possess an upland game bird hunting validation pursuant to Section 3682.1.
- (3) The requirement to possess a state duck hunting validation pursuant to Section 3700.1.

(h) An unlicensed hunter, who is 12 years of age or older, in possession of a registration to hunt on free hunting days may purchase one wild pig validation pursuant to Section 4654.

(i) (1) The department may adopt additional minimum requirements and restrictions for a licensed hunter or an unlicensed hunter participating in a free hunting day pursuant to this section.

(2) The department may adopt emergency regulations to implement this section in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The adoption of these regulations is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health and safety, and general welfare. Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, an emergency regulation adopted by the department, or any amendments to it made by the department pursuant to this section, shall stay in effect until revised by the department.

(j) (1) On or before July 1, 2022, the department shall develop a plan to implement this section. The plan shall include, at a minimum, all of the following:

- (A) A description of the scope of the emergency regulations necessary to implement this section.
- (B) A description of the steps the department will take to implement this section.
- (C) An estimate of the total costs to the department to implement this section.
- (D) Identification of the source of the funds, including fees paid by hunters, necessary to implement this section.

(2) The estimate of the total costs to the department identified in subparagraph (C) of paragraph (1) shall include, but is not limited to, the costs of pursuing emergency regulations, updating existing or developing new hunting outreach materials for the free hunting days, any necessary revision to the Automated License Data System, and use of any department resources necessary to conduct the free hunting days.

(3) The department shall provide the plan required by paragraph (1) to the relevant legislative policy and budget committees and post the plan on its internet website.

(k) This section shall become operative on July 1, 2024.

SEC. 12. Section 3950 of the Fish and Game Code is amended to read:

3950. (a) Game mammals are: deer (genus *Odocoileus*), elk (genus *Cervus*), prong-horned antelope (genus *Antilocapra*), wild pigs, including feral pigs and European wild boars (genus *Sus*), black and brown or cinnamon bears (genus *Euarctos*), mountain lions (genus *Felis*), jackrabbits and varying hares (genus *Lepus*), cottontails, brush rabbits, and pygmy rabbits (genus *Sylvilagus*), and tree squirrels (genus *Sciurus* and *Tamiasciurus*).

(b) Nelson bighorn sheep (subspecies *Ovis canadensis nelsoni*) are game mammals only for the purposes of sport hunting described in subdivision (b) of Section 4902.

(c) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 13. Section 3950 is added to the Fish and Game Code, to read:

3950. (a) Game mammals are: deer (genus *Odocoileus*), elk (genus *Cervus*), prong-horned antelope (genus *Antilocapra*), black and brown or cinnamon bears (genus *Euarctos*), mountain lions (genus *Felis*), jackrabbits and varying hares (genus *Lepus*), cottontails, brush rabbits, and pygmy rabbits (genus *Sylvilagus*), and tree squirrels (genus *Sciurus* and *Tamiasciurus*).

(b) Nelson bighorn sheep (subspecies *Ovis canadensis nelsoni*) are game mammals only for the purposes of sport hunting described in subdivision (b) of Section 4902.

(c) This section shall become operative on July 1, 2024.

SEC. 14. Section 3953 of the Fish and Game Code, as amended by Section 1 of Chapter 132 of the Statutes of 2022, is amended to read:

3953. (a) The Big Game Management Account is hereby established within the Fish and Game Preservation Fund.

(b) Except as provided in Section 709, all revenues from the sale of antelope, elk, deer, wild pig, bear, and sheep tags, including any fundraising tags, shall be deposited into the Big Game Management Account to permit separate accountability for the receipt and expenditure of these funds. Within 30 days of the date of the sale, the selling nonprofit organization shall send the department 95 percent of the total auction sale price of the tag, with an itemized receipt showing the sale price and the 5-percent reduction retained by the nonprofit organization as a vendor's fee.

(c) Funds deposited into the Big Game Management Account shall be available for expenditure upon appropriation by the Legislature to the department. These funds shall be expended solely for the purposes set forth in this section and Sections 3951 and 3952, and Chapter 5 (commencing with Section 450) of Division 1, Chapter 7 (commencing with Section 4650), and Chapter 11 (commencing with Section 4900), including acquiring land, completing projects, and implementing programs to benefit antelope, elk, deer, wild pigs, bear, and sheep, and expanding public hunting opportunities and related public outreach. Any land acquired with funds from the Big Game Management Account shall be acquired in fee title or protected with a conservation easement and, to the extent possible, be open or provide access to the public for antelope, elk, deer, wild pig, bear, or sheep hunting. The department may also use funds from the Big Game Management Account to pay for administrative and enforcement costs of the programs and activities described in this section. The amount allocated from the account for administrative costs shall be limited to the reasonable costs associated with administration of the programs and activities described in this section.

(d) The department may make grants to, reimburse, or enter into contracts or other agreements, as defined in subdivision (a) of Section 1571, with public and private entities, including nonprofit organizations, and federally recognized Indian tribes for the use of the funds from the Big Game Management Account to carry out the purposes of this section, including related habitat conservation projects. In acting pursuant to that authorization, the department shall consider the state's biodiversity goals.

(e) An advisory committee, as determined by the department, that includes interested nonprofit organizations that have goals and objectives directly related to the management and conservation of big game species and primarily represent the interests of persons licensed pursuant to Section 3031 shall review and provide comments to the department on all proposed projects funded from the Big Game Management Account to help ensure that the requirements of this section are met. The department shall post budget information and a brief description on an internet website for all projects funded from the Big Game Management Account.

(f) A big game project authorized pursuant to this section is not subject to Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code or Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code.

(g) The department shall maintain the internal accountability necessary to ensure compliance with the collection, deposit, and expenditure of funds specified in this section.

(h) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 15. Section 3953 is added to the Fish and Game Code, to read:

3953. (a) The Big Game Management Account is hereby established within the Fish and Game Preservation Fund.

(b) Except as provided in Section 709, all revenues from the sale of antelope, elk, deer, bear, and sheep tags, and wild pig validations, including any fundraising tags or validations, shall be deposited into the Big Game Management Account to permit

separate accountability for the receipt and expenditure of these funds. Within 30 days of the date of the sale, the selling nonprofit organization shall send the department 95 percent of the total auction sale price of the tag or validations, with an itemized receipt showing the sale price and the 5-percent reduction retained by the nonprofit organization as a vendor's fee.

(c) Funds deposited into the Big Game Management Account shall be available for expenditure upon appropriation by the Legislature to the department. These funds shall be expended solely for the purposes set forth in this section and Sections 3951 and 3952, and Chapter 5 (commencing with Section 450) of Division 1, Chapter 7 (commencing with Section 4650), and Chapter 11 (commencing with Section 4900), including acquiring land, completing projects, implementing programs to benefit antelope, elk, deer, wild pigs, bear, and sheep, or the use of hunting to manage wild pigs, and expanding public hunting opportunities and related public outreach. Any land acquired with funds from the Big Game Management Account shall be acquired in fee title or protected with a conservation easement and, to the extent possible, be open or provide access to the public for antelope, elk, deer, wild pig, bear, and sheep hunting. The department may also use funds from the Big Game Management Account to pay for administrative and enforcement costs of the programs and activities described in this section. The amount allocated from the account for administrative costs shall be limited to the reasonable costs associated with administration of the programs and activities described in this section.

(d) The department may make grants to, reimburse, or enter into contracts or other agreements, as defined in subdivision (a) of Section 1571, with public and private entities, including nonprofit organizations, and federally recognized Indian tribes for the use of the funds from the Big Game Management Account to carry out the purposes of this section, including related habitat conservation projects. In acting pursuant to that authorization, the department shall consider the state's biodiversity goals.

(e) An advisory committee, as determined by the department, that includes interested nonprofit organizations that have goals and objectives directly related to the management and conservation of big game species and primarily represent the interests of persons licensed pursuant to Section 3031 shall review and provide comments to the department on all proposed projects funded from the Big Game Management Account to help ensure that the requirements of this section are met. The department shall post budget information and a brief description on an internet website for all projects funded from the Big Game Management Account.

(f) A big game project authorized pursuant to this section is not subject to Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code or Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code.

(g) The department shall maintain the internal accountability necessary to ensure compliance with the collection, deposit, and expenditure of funds specified in this section.

(h) This section shall become operative on July 1, 2024.

SEC. 16. Chapter 1.5 (commencing with Section 3965) is added to Part 3 of Division 4 of the Fish and Game Code, to read:

CHAPTER 1.5. Exotic Game Mammals

3965. (a) Exotic game mammals include wild pigs, including feral pigs and European wild boar (genus *Sus*) described in Section 4650.

(b) This section shall become operative on July 1, 2024.

SEC. 17. Section 4150 of the Fish and Game Code is amended to read:

4150. (a) A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A nongame mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission.

(b) Notwithstanding any other provision of this code or regulations adopted pursuant to this code, it is unlawful for any person to trap any nongame mammal for purposes of recreation or commerce in fur. The raw fur of a nongame mammal otherwise lawfully taken pursuant to this code or regulations adopted pursuant to this code shall not be sold. For purposes of this subdivision, "raw fur" has the same meaning as defined in Section 4005.

(c) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 18. Section 4150 is added to the Fish and Game Code, to read:

4150. (a) A mammal occurring naturally in California that is not a game mammal, exotic game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A nongame mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission.

(b) Notwithstanding any other provision of this code or regulations adopted pursuant to this code, it is unlawful for any person to trap any nongame mammal for purposes of recreation or commerce in fur. The raw fur of a nongame mammal otherwise lawfully taken pursuant to this code or regulations adopted pursuant to this code shall not be sold. For purposes of this subdivision, "raw fur" has the same meaning as defined in Section 4005.

(c) This section shall become operative on July 1, 2024.

SEC. 19. Section 4181 of the Fish and Game Code is amended to read:

4181. (a) Except as provided in Section 4181.1, any owner or tenant of land or property that is being damaged or destroyed or is in danger of being damaged or destroyed by elk, bear, bobcat, beaver, wild pig, wild turkeys, or gray squirrels may apply to the department for a permit to kill the animals. Subject to the limitations in subdivisions (b) and (d), the department, upon satisfactory evidence of the damage or destruction, actual or immediately threatened, shall issue a revocable permit for the taking and disposition of the animals under regulations adopted by the commission. The permit shall include a statement of the penalties that may be imposed for a violation of the permit conditions. Animals so taken shall not be sold or shipped from the premises on which they are taken except under instructions from the department. An iron-jawed or steel-jawed or any type of metal-jawed trap shall not be used to take any bear or bobcat pursuant to this section. Poison of any type shall not be used to take any gray squirrel or wild turkey pursuant to this section. The department shall designate the type of trap to be used to ensure the most humane method is used to trap gray squirrels. The department may require trapped squirrels to be released in parks or other nonagricultural areas. It is unlawful for any person to violate the terms of any permit issued under this section.

(b) The permit issued for taking bears or bobcats pursuant to subdivision (a) shall contain the following facts:

- (1) Why the issuance of the permit was necessary.
- (2) What efforts were made to solve the problem without killing the bears or bobcats.
- (3) What corrective actions should be implemented to prevent a reoccurrence.

(c) With respect to wild pigs, the department shall provide an applicant for a depredation permit to take wild pigs or a person who reports taking wild pigs pursuant to subdivision (b) of Section 4181.1 with written information that sets forth available options for wild pig control, including, but not limited to, depredation permits, allowing periodic access to licensed hunters, and holding special hunts authorized pursuant to Section 4188. The department may maintain and make available to these persons lists of licensed hunters interested in wild pig hunting and lists of nonprofit organizations that are available to take possession of depredating wild pig carcasses. The department shall not limit the number of wild pigs to be taken under a depredation permit or based on the sex of the wild pig.

(d) With respect to elk, the following procedures shall apply:

- (1) Before issuing a depredation permit pursuant to subdivision (a), the department shall do all of the following:
 - (A) Verify the actual or immediately threatened damage or destruction.
 - (B) Provide a written summary of corrective measures necessary to immediately alleviate the problem.
 - (C) Determine the viability of the local herd, and determine the minimum population level needed to maintain the herd.
 - (D) Ensure the permit will not reduce the local herd below the minimum.
 - (E) Work with affected landowners to develop measures to achieve long-term resolution while maintaining viability of the herd.
- (2) After completing the statewide elk management plan pursuant to Section 3952, the department shall use the information and methods contained in the plan to meet the requirements of subparagraphs (C), (D), and (E) of paragraph (1).

SEC. 20. Section 4304 of the Fish and Game Code is amended to read:

4304. (a) A person shall not at any time capture or destroy any deer and detach or remove from the carcass only the head, hide, antlers, or horns; nor shall any person at any time leave through carelessness or neglect any game mammal or game bird that is in their possession, or any portion of the flesh thereof usually eaten by humans, to go needlessly to waste. The provisions of this section shall not apply to game mammals taken under the authority of Section 4152.

(b) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 21. Section 4304 is added to the Fish and Game Code, to read:

4304. (a) A person shall not at any time capture or destroy any deer and detach or remove from the carcass only the head, hide, antlers, or horns.

(b) A person shall not at any time leave through carelessness or neglect any game mammal, exotic game mammal, or game bird that is in their possession, or any portion of the flesh of that animal usually eaten by humans, to go needlessly to waste.

(c) This section does not apply to game mammals taken pursuant to Section 4152.

(d) This section shall become operative on July 1, 2024.

SEC. 22. Section 4650 of the Fish and Game Code is amended to read:

4650. (a) Wild pigs, as used in this chapter, means free-roaming pigs not distinguished by branding, ear marking, or other permanent identification methods.

(b) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 23. Section 4650 is added to the Fish and Game Code, to read:

4650. (a) For purposes of this code, "wild pig" means any of the following:

(1) (A) A pig having two or more phenotypical characteristics specified in subparagraph (B) that does not have a brand, tattoo, or other permanent mark or visible tag approved by the Department of Food and Agriculture pursuant to Section 10791 of the Food and Agricultural Code.

(B) Phenotypical characteristics include all of the following:

(i) Having a coat described by all of the following: long, dark, coarse bristles and guard hairs; the undercoat, when present, is lighter in color than the overlaying coat; and individual hairs have bristle tips that are lighter in color than the rest of the hair shaft.

(ii) Having dark "point" coloration: distal portion of the snout, ears, legs, and tail are dark brown to black in coloration.

(iii) Having a skeletal appearance that has both of the following characteristics: the skull is large, measuring up to one-third of the total body length; and a short massive trunk with underdeveloped hindquarters.

(iv) Having a head with small, deep-set eyes and an elongated snout.

(v) Having a tail held straight or slightly curved but containing muscular structure to curl the tail.

(vi) Having teeth satisfying all of the following, as applicable: males have well-developed canine teeth; upper canines are relatively short and grow sideways early in life and gradually curl upwards with age; lower canines are sharper and longer with exposed parts measuring up to 12 cm (4.7 inches) in length.

(2) A free-roaming pig, feral pig, or European wild boar having no visible tags, markings, or characteristics indicating that the pig or boar is from a domestic herd.

(b) This section shall become operative on July 1, 2024.

SEC. 24. Section 4651 of the Fish and Game Code is amended to read:

4651. (a) The department shall, upon appropriation by the Legislature for that purpose, prepare a plan for the management of wild pigs. Under the plan, the status and trend of wild pig populations shall be determined and management units shall be designated within the state. The plan may establish pig management zones to address regional needs and opportunities. In preparing the plan, the department shall consider available, existing information and literature relative to wild pigs.

(b) The plan may include all of the following:

(1) The distribution and abundance of wild pigs, as described in Section 3950.

(2) A survey of range conditions.

(3) Recommendations for investigations and utilization of wild pigs.

(4) Encouraging mitigation of depredation by sport hunting pursuant to this chapter.

(5) Live trapping and relocation of wild pigs to areas suitable and accessible to mitigation of depredation, with the consent of the landowner and after prior consultation with adjacent landowners who, in the department's opinion, may be impacted, pursuant to this chapter.

(c) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 25. Section 4651.5 is added to the Fish and Game Code, to read:

4651.5. (a) The department shall work with landowners to mitigate depredation by sport hunting pursuant to this chapter, including the application of the Shared Habitat Alliance for Recreational Enhancement (SHARE) program (Article 3 (commencing with Section 1570) of Chapter 5 of Division 2).

(b) The use of poison to take wild pigs is prohibited.

(c) This section shall become operative on July 1, 2024.

SEC. 26. Section 4652 of the Fish and Game Code is amended to read:

4652. (a) It is unlawful to take any wild pig, except as provided in Section 4181, without first procuring a tag authorizing the taking of that wild pig in accordance with this chapter.

(b) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 27. Section 4652 is added to the Fish and Game Code, to read:

4652. (a) It is unlawful to take any wild pig, except as provided in Section 4181, without first procuring a validation authorizing the taking of that wild pig in accordance with this chapter.

(b) This section shall become operative on July 1, 2024.

SEC. 28. Section 4652.5 is added to the Fish and Game Code, to read:

4652.5. (a) It shall be unlawful to intentionally or knowingly release any hog, boar, pig, or swine to live in a wild or feral state upon public or private land.

(b) It shall be unlawful to engage in, sponsor, or assist in the operation of a contained hunting preserve of wild pig, feral pig, European wild boar, or domestic swine within this state. For purposes of this subdivision, any tract of land on which a fence or other apparatus is used to prevent the free roaming of swine that are to be taken pursuant to Section 86 and not used solely for domestic swine production shall be deemed to be a contained hunting preserve.

(c) This section does not apply to an individual or entity that operated a contained hunting preserve on or before January 1, 2022, provided the individual or entity shall not operate more acres than the number of acres the individual or entity had in operation on or before January 1, 2022.

(d) An individual or entity that operated a contained hunting preserve of wild pig, feral pig, European wild boar, or domestic swine on or before January 1, 2022, shall be prohibited from selling, transferring, or passing on the contained hunting preserve operation.

(e) This section shall become operative on July 1, 2024.

SEC. 29. Section 4653 of the Fish and Game Code is amended to read:

4653. (a) The department may determine the design and type of information to be included on the wild pig tag and prescribe the procedures for the issuance and use of the tag.

(b) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 30. Section 4653 is added to the Fish and Game Code, to read:

4653. (a) The department may determine the design and type of information to be included on the wild pig validation and prescribe the procedures for the issuance and use of the validation.

(b) This section shall become operative on July 1, 2024.

SEC. 31. Section 4654 of the Fish and Game Code is amended to read:

4654. (a) Any resident of this state, 12 years of age or older, who possesses a valid hunting license, may procure the number of wild pig tags corresponding to the number of wild pigs that may legally be taken by one person during the license year upon payment of a base fee of fifteen dollars (\$15), for each wild pig tag.

(b) Any nonresident, 12 years of age or older, who possesses a valid California hunting license, may procure the number of wild pig tags corresponding to the number of wild pigs that may legally be taken by one person during the license year upon payment of a base fee of fifty dollars (\$50), for each wild pig tag.

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

(d) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 32. Section 4654 is added to the Fish and Game Code, to read:

4654. (a) Any resident of this state, 12 years of age or older, who possesses a valid hunting license, may procure a wild pig validation upon payment of a base fee of twenty-five dollars (\$25) for the license year beginning July 1, 2024, and the base fee as adjusted under Section 713 for subsequent license years.

(b) Any nonresident, 12 years of age or older, who possesses a valid California hunting license, may procure a wild pig validation upon payment of a base fee of ninety dollars (\$90) for the license year beginning July 1, 2024, and the base fee as adjusted under Section 713 for subsequent license years.

(c) This section shall become operative on July 1, 2024.

SEC. 33. Section 4655 of the Fish and Game Code is amended to read:

4655. (a) Wild pig tags are valid only during that portion of the current hunting license year in which wild pigs may be taken or possessed in any area of the state.

(b) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 34. Section 4655 is added to the Fish and Game Code, to read:

4655. (a) Wild pig validations are valid only during that portion of the current hunting license year in which wild pigs may be taken or possessed in any area of the state.

(b) This section shall become operative on July 1, 2024.

SEC. 35. Section 4657 of the Fish and Game Code is amended to read:

4657. (a) The holder of a wild pig tag shall keep the tag in their possession while hunting wild pig. Before the taking of any wild pig, the holder of a wild pig tag, except for wild pig tags issued through the Automated License Data System, shall legibly write or otherwise affix their hunting license number to the wild pig tag. Upon the killing of any wild pig, the date of the kill shall be clearly marked by the holder of the tag on both parts of the tag. Before transporting the pig, a tag shall be attached to the carcass by the holder of the tag. The holder of the wild pig tag shall immediately, upon harvesting a pig, notify the department in a manner specified by the commission.

(b) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.

SEC. 36. Section 4657 is added to the Fish and Game Code, to read:

4657. (a) The holder of a wild pig validation shall keep the validation in their possession while hunting wild pig.

(b) (1) The commission shall adopt regulations governing the transportation of a wild pig carcass and the reporting of any take of a wild pig.

(2) The regulations adopted pursuant to this section shall provide for reporting of any take of a wild pig electronically, and shall require the following information:

(A) The identity of the person taking the wild pig.

(B) The date and location of the taking of the wild pig.

(C) Any other information the commission finds would be appropriate to better understand the location and abundance, and rate of take, of wild pigs or to enforce the provisions of this code or Title 14 of the California Code of Regulations.

(c) This section shall become operative on July 1, 2024.

SEC. 37. Article 5 (commencing with Section 10791) is added to Chapter 1 of Part 3 of Division 5 of the Food and Agricultural Code, to read:

Article 5. Marking and Validations

10791. (a) The department shall adopt regulations to require a person who possesses a domestic swine that has two or more phenotypical characteristics specified in subparagraph (B) of paragraph (1) of subdivision (a) of Section 4650 of the Fish and Game Code to identify the swine with a brand, tattoo, or other permanent mark or visible validation approved by the department.

(b) This section shall become operative on July 1, 2024.

SEC. 38. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.