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AB-1169 Wildlife grants: Shared Habitat Alliance for Recreational Enhancement program. (2025-2026)

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AMENDED IN SENATE JULY 17, 2025

AMENDED IN ASSEMBLY MAY 23, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1169

Introduced by Assembly Member Jeff Gonzalez

February 21, 2025

An act to ~~amend~~ *amend, repeal, and add* Sections 1572 and 1573 ~~of of, and to add and repeal Section 1573.1 of~~, the Fish and Game Code, relating to wildlife grants.

LEGISLATIVE COUNSEL'S DIGEST

AB 1169, as amended, Jeff Gonzalez. Wildlife grants: Shared Habitat Alliance for Recreational Enhancement program.

Existing law establishes the Shared Habitat Alliance for Recreational Enhancement (SHARE) program to encourage private landowners to voluntarily make their land available to the public for wildlife-dependent recreational activities, as specified. Existing law requires a cap on financial compensation offered to a private landowner of \$30 per acre, or \$50 per public participant per day. Existing law authorizes the Department of Fish and Wildlife, as part of the SHARE program, to make grants to, or enter into agreements with, nonprofit organizations, governmental entities, or any other entities for purposes of carrying out the SHARE program.

This bill would require, rather than authorize, the department to make those grants to, or enter into agreements with, the above-described entities, including a nonprofit conservation organization, when the department finds the grants or agreements are necessary for carrying out the purposes of the SHARE program. The bill would increase the required cap on financial compensation offered to private landowners pursuant to the SHARE program to \$52 per acre, or \$87 per public participant per day, and would require those figures to be adjusted annually for inflation, as provided. The bill would authorize the department to reimburse a nonprofit organization, a private landowner, or other entity for its services related to the implementation of the program. *The bill would repeal these provisions on January 1, 2031.*

This bill would require the Director of Fish and Wildlife, on or before October 1, 2029, to submit a written report to the Legislature that evaluates the effect of changes to the SHARE program, as provided.

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

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

SECTION 1. Section 1572 of the Fish and Game Code is amended to read:

1572. (a) There is hereby established the Shared Habitat Alliance for Recreational Enhancement (SHARE) program. The department, in partnership with nonprofit conservation groups and other interested nongovernmental organizations that seek to increase and enhance wildlife-dependent recreational opportunities, shall work cooperatively to implement the program in order to facilitate public access to private lands in a voluntary and incentive-based manner.

(b) The department shall adopt regulations for the management and control of wildlife-dependent recreational activities on land that is subject to the program. The department shall report to the commission annually on the status of the program and maintain data on the types of wildlife-dependent recreational activities preferred by landowners and participants in the program.

(c) (1) The SHARE Account is hereby established in the Fish and Game Preservation Fund. Money deposited in the account from the sources cited in this subdivision shall only be used for the purposes set forth in this article.

(2) Consistent with existing law, the department may establish and impose user fees, use existing hunting and fishing license stamp or tag fees from the Fish and Game Preservation Fund, or apply for grants, federal funds, or other contributions from other sources to fund the program. General Fund moneys shall not be used for the program.

(3) All funding generated pursuant to paragraph (2) from grants, federal funds, or other sources, where the person or entity providing the funds specifically designates in writing prior to the time of transmittal of the funds to the department that the funds are intended solely for the purposes of the program, and any user fees assessed by the department specifically for the program, shall be deposited in the SHARE Account in the Fish and Game Preservation Fund. The moneys in the account, upon appropriation by the Legislature, shall be available for expenditure by the department solely for programs and projects to benefit the program and for the direct costs and administrative overhead incurred solely in carrying out the department's program activities. Funds may also be used for wildlife conservation purposes on lands subject to an agreement under the program. Administrative overhead shall be limited to the reasonable costs associated with the direct administration of the program. The department shall maintain internal accountability necessary to ensure that all restrictions on the expenditure of these funds are met.

(d) Consistent with Section 1570, the department shall make grants to, or enter into agreements with, nonprofit conservation organizations, governmental entities, or any other entities for the use of the funds described in subdivision (c) when the department finds that the grants or agreements are necessary for carrying out the purposes of this article.

(e) The program 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.

(f) The department may reimburse a nonprofit organization, a private landowner, or other entity for its costs or services related to the implementation of the program.

(g) This section shall remain in effect only until January 1, 2031, and as of that date is repealed.

SEC. 2. Section 1572 is added to the Fish and Game Code, to read:

1572. (a) *There is hereby established the Shared Habitat Alliance for Recreational Enhancement (SHARE) program. The department, in partnership with nonprofit conservation groups and other interested nongovernmental organizations that seek to increase and enhance wildlife-dependent recreational opportunities, shall work cooperatively to implement the program in order to facilitate public access to private lands in a voluntary and incentive-based manner.*

(b) The department shall adopt regulations for the management and control of wildlife-dependent recreational activities on land that is subject to the program. The department shall report to the commission annually on the status of the program and maintain data on the types of wildlife-dependent recreational activities preferred by landowners and participants in the program.

(c) (1) The SHARE Account is hereby established in the Fish and Game Preservation Fund. Money deposited in the account from the sources cited in this subdivision shall only be used for the purposes set forth in this article.

(2) Consistent with existing law, the department may establish and impose user fees, use existing hunting and fishing license stamp or tag fees from the Fish and Game Preservation Fund, or apply for grants, federal funds, or other contributions from other sources to fund the program. General Fund moneys shall not be used for the program.

(3) All funding generated pursuant to paragraph (2) from grants, federal funds, or other sources, where the person or entity providing the funds specifically designates in writing prior to the time of transmittal of the funds to the department that the funds

are intended solely for the purposes of the program, and any user fees assessed by the department specifically for the program, shall be deposited in the SHARE Account in the Fish and Game Preservation Fund. The moneys in the account, upon appropriation by the Legislature, shall be available for expenditure by the department solely for programs and projects to benefit the program and for the direct costs and administrative overhead incurred solely in carrying out the department's program activities. Funds may also be used for wildlife conservation purposes on lands subject to an agreement under the program. Administrative overhead shall be limited to the reasonable costs associated with the direct administration of the program. The department shall maintain internal accountability necessary to ensure that all restrictions on the expenditure of these funds are met.

(d) The department may make grants to, or enter into agreements with, nonprofit organizations, governmental entities, or any other entities for the use of the funds described in subdivision (c) when the department finds that the agreements are necessary for carrying out the purposes of this article.

(e) The program 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.

(f) The department may reimburse a nonprofit organization, a private landowner, or other entity for its costs related to the implementation of the program.

(g) This section shall become operative on January 1, 2031.

~~SEC. 2.~~ SEC. 3. Section 1573 of the Fish and Game Code is amended to read:

1573. (a) (1) The department may enter into a voluntary agreement with a private landowner, including an agreement under which the private landowner is compensated by the department for public use of the land, to provide public access for wildlife-dependent recreational activities. Any financial compensation offered to a private landowner pursuant to this paragraph shall not exceed fifty-two dollars (\$52) per acre, or eighty-seven dollars (\$87) per public participant per day, and shall be commensurate with the quality of the wildlife-dependent recreational opportunities that are to be provided on the property. The limits on financial compensation set forth in this paragraph are applicable to the 2026 calendar year and shall be adjusted annually thereafter using the calculations described in Section 713.

(2) The department also may enter into a voluntary agreement with a private landowner to facilitate access to adjacent public lands or waters, upon approval of the governmental entity that holds title to the land. This article does not authorize a private landowner to exclude persons not participating in the SHARE program from using public land for wildlife-dependent recreational activities.

(3) The department may enter into a voluntary agreement with a governmental entity to provide wildlife-dependent recreational opportunities to the public on public lands or waters.

(b) Notwithstanding any other law, the department shall keep confidential and not release to the public any personal identifying information received from a private landowner participating in the program, unless the director determines that release of that information is necessary for the administration of the program.

(c) Either the department or a private landowner may, in writing, modify or cancel an agreement executed under the program, at any time. Upon cancellation or modification of the agreement by either party, the other party shall be reimbursed for any lost revenues or expenses incurred pursuant to the terms of the original agreement.

(d) In addition to any other protection or remedy under law, the protections and remedies afforded to an owner of an estate or any other interest in real property under Section 846 of the Civil Code shall apply to a private landowner, nonprofit organization, or other entity participating in the program.

(e) The department shall require every person who wants to use land that is subject to an agreement pursuant to subdivision (a), before using that land, to sign a waiver that releases the department or any private group, nonprofit organization, governmental entity, or other organization involved in administering the program, and the private landowner, from liability for any injury or damage that arises from, or is connected with that person's use of the land. Upon request, the department shall provide a copy of the waiver to any of the parties to the waiver.

(f) An agreement executed pursuant to the program shall not authorize the take of nongame species by public participants in the program. An agreement may not authorize a private landowner to transfer a hunting or fishing license, stamp, or tag to another person, unless otherwise authorized by law.

(g) In determining which lands may be included in the program, the department shall give priority to those lands with the greatest wildlife habitat value. To the extent possible, the department shall also include in the program private lands that permit multiple wildlife-dependent recreational activities, in order to take into consideration the participation of the general public in the program.

(h) This section shall remain in effect only until January 1, 2031, and as of that date is repealed.

SEC. 4. Section 1573 is added to the Fish and Game Code, to read:

1573. (a) (1) The department may enter into a voluntary agreement with a private landowner, including an agreement under which the private landowner is compensated by the department for public use of the land, to provide public access for wildlife-dependent recreational activities. Any financial compensation offered to a private landowner pursuant to this paragraph shall not exceed thirty dollars (\$30) per acre, or fifty dollars (\$50) per public participant per day, and shall be commensurate with the quality of the wildlife-dependent recreational opportunities that are to be provided on the property.

(2) The department also may enter into a voluntary agreement with a private landowner to facilitate access to adjacent public lands or waters, upon approval of the governmental entity that holds title to the land. This article does not authorize a private landowner to exclude persons not participating in the SHARE program from using public land for wildlife-dependent recreational activities.

(3) The department may enter into a voluntary agreement with a governmental entity to provide wildlife-dependent recreational opportunities to the public on public lands or waters.

(b) Notwithstanding any other provision of law, the department shall keep confidential and not release to the public any personal identifying information received from a private landowner participating in the program, unless the director determines that release of that information is necessary for the administration of the program.

(c) Either the department or a private landowner may, in writing, modify or cancel an agreement executed under the program, at any time. Upon cancellation or modification of the agreement by either party, the other party shall be reimbursed for any lost revenues or expenses incurred pursuant to the terms of the original agreement.

(d) In addition to any other protection or remedy under law, the protections and remedies afforded to an owner of an estate or any other interest in real property under Section 846 of the Civil Code shall apply to a private landowner, nonprofit organization, or other entity participating in the program.

(e) The department shall require every person who wants to use land that is subject to an agreement pursuant to subdivision (a), prior to using that land, to sign a waiver that releases the department or any private group, nonprofit organization, governmental entity, or other organization involved in administering the program, and the private landowner, from liability for any injury or damage that arises from, or is connected with that person's use of the land. Upon request, the department shall provide a copy of the waiver to any of the parties to the waiver.

(f) An agreement executed pursuant to the program shall not authorize the take of nongame species by public participants in the program. An agreement may not authorize a private landowner to transfer a hunting or fishing license, stamp, or tag to another person, unless otherwise authorized by law.

(g) In determining which lands may be included in the program, the department shall give priority to those lands with the greatest wildlife habitat value. To the extent possible, the department shall also include in the program private lands that permit multiple wildlife-dependent recreational activities, in order to take into consideration the participation of the general public in the program.

(h) This section shall become operative on January 1, 2031.

SEC. 5. Section 1573.1 is added to the Fish and Game Code, to read:

1573.1. (a) On or before October 1, 2029, the director shall submit a written report to the Legislature that evaluates the effect of changes to the SHARE program, including the increase in maximum compensation limits.

(b) The report to be submitted pursuant to subdivision (a) shall include all of the following:

(1) Information regarding landowner participation and wildlife-dependent recreational opportunities in the SHARE program, including changes in landowner participation, acreage availability, wildlife-dependent recreational activities, and counties with landowner participation.

(2) The ending balance, source, and amount of all moneys deposited in, and all expenditures from, the SHARE account, including for department overhead and administrative expenses.

(3) A summary of department outreach to nonprofit organizations and others regarding grants and other opportunities available through the SHARE program to promote participation in wildlife-dependent recreational activities.

(4) Information regarding the number of hunters or anglers, and the number of new or returning hunters or anglers participating in the SHARE program, including any evidence of any change in participation by those who had not previously purchased a

hunting or fishing license due to participation in the SHARE program.

(5) Any other relevant information at the discretion of the director.

(c) The director shall collect all relevant, appropriate, and sufficient data necessary to evaluate the effect of changes in the SHARE program to landowner participation, and hunting and angling participation, in the state. Data collection efforts pursuant to this subdivision shall avoid duplication and use data collected for other purposes, to the extent feasible.

(d) (1) The report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(2) Pursuant to Section 10231.5 of the Government Code, this section is inoperative on October 1, 2033, and is repealed on January 1, 2034.