

ASSEMBLY BILL

No. 214

Introduced by Assembly Member Calderon

February 9, 2001

An act to amend Section 12002 of the Fish and Game Code, relating to fish and game.

LEGISLATIVE COUNSEL'S DIGEST

AB 214, as introduced, Calderon. Fish and Game Code: fines and penalties.

Existing law prescribes the punishment for violations of the Fish and Game Code. Existing law requires the immediate suspension of a license or permit issued pursuant to the Fish and Game Code to a defendant who fails to appear at a court hearing for a violation of that code or who fails to pay a fine imposed pursuant to that code.

This bill would make that provision inapplicable to any violation resulting from utility tree trimming operations that are undertaken in compliance with requirements of the Public Utilities Commission or for purposes of electric system reliability.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12002 of the Fish and Game Code is
- 2 amended to read:
- 3 12002. (a) Unless otherwise provided, the punishment for a
- 4 violation of this code that is a misdemeanor is a fine of not more
- 5 than one thousand dollars (\$1,000), imprisonment in the county

1 jail for not more than six months, or both the fine and
2 imprisonment.

3 (b) The punishment for a violation of any of the following
4 provisions is a fine of not more than two thousand dollars (\$2,000),
5 imprisonment in the county jail for not more than one year, or both
6 the fine and imprisonment:

7 (1) Section 1059.

8 (2) Subdivision (d) of Section 4004.

9 (3) Section 4600.

10 (4) Paragraph (1) or (2) of subdivision (a) of Section 5650.

11 (5) A first violation of Section 8670.

12 (6) Section 10500.

13 (7) Section 3005.9.

14 (8) A violation of commission regulations that is discovered
15 pursuant to Section 3005.91 or 3005.92.

16 (9) Unless a greater punishment is otherwise provided, a
17 violation subject to subdivision (a) of Section 12003.1.

18 (c) Except as specified in Sections 12001 and 12010, the
19 punishment for violation of Section 3503, 3503.5, 3513, or 3800
20 is a fine of not more than five thousand dollars (\$5,000),
21 imprisonment in the county jail for not more than six months, or
22 both that fine and that imprisonment.

23 (d) (1) A license or permit issued pursuant to this code to a
24 defendant who fails to appear at a court hearing for a violation of
25 this code, or who fails to pay a fine imposed pursuant to this code,
26 shall be immediately suspended. The license or permit shall not be
27 reinstated or renewed, and no other license or permit shall be
28 issued to that person pursuant to this code, until the court
29 proceeding is completed or the fine is paid.

30 (2) This subdivision does not apply to any violation of Section
31 1052, 1059, 1170, 3005.9, 3005.91, 3005.92, 5650, 5653.9, 6454,
32 6650, or 6653.5.

33 (3) *This subdivision does not apply to any violation resulting*
34 *from utility tree trimming operations that are undertaken in*
35 *compliance with requirements of the Public Utilities Commission*
36 *or for purposes of electric system reliability.*

