

AMENDED IN ASSEMBLY MARCH 11, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2132**

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**Introduced by Assembly Member Houston**

February 20, 2008

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An act to amend Sections 2016 and 4370 of, and to add Section 2011.5 to, the Fish and Game Code, relating to hunting.

LEGISLATIVE COUNSEL'S DIGEST

AB 2132, as amended, Houston. Wildlife: hunting.

Existing law makes it unlawful to enter any lands owned or occupied by another for the purpose of taking or destroying any bird or mammal where signs forbidding trespass are displayed at specified intervals, unless written consent is obtained from the owner or owner's agent. Existing law permits the taking of a deer during archery season with a bow and arrow, as specified.

This bill would require signs forbidding trespass to be at least 8½ by 11 inches in size, ~~and would permit a person to enter lands owned or occupied by another if oral consent is obtained from the owner or owner's agent.~~ This bill would make it unlawful for a person to remove any collar from a hunting dog with the intent to prevent or hinder the owner from locating the dog. This bill would ~~permit the use of one dog per hunter, for the purpose of tracking and locating a dead or wounded deer, in every area where a deer may lawfully be taken during archery season~~ *require the Fish and Game Commission to consider adopting regulations that permit, during archery season, the use of one dog per hunter to aid in the recovery of deer.*

Because ~~the bill~~ *a violation of the prohibition established by the bill* would ~~create~~ *be* a new crime, ~~it~~ *the bill* would impose a state-mandated local program.

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. State-mandated local program: yes.

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

1 SECTION 1. Section 2011.5 is added to the Fish and Game  
2 Code, to read:

3 2011.5. It is unlawful for any person to remove any collar,  
4 including an electronic or radio transmitting collar, from a dog  
5 without the permission of the dog’s owner and with the intent to  
6 prevent or hinder the owner from locating the dog. The court shall  
7 order any person convicted of violating this section to pay ~~the to~~  
8 the owner of any dog lost or killed as a result of collar removal,  
9 as restitution, the actual value of the dog. ~~the~~ *The* court may also  
10 order any person convicted of violating this section, as restitution,  
11 to pay to the owner of the dog any lost breeding revenues.

12 SEC. 2. Section 2016 of the Fish and Game Code is amended  
13 to read:

14 2016. It is unlawful to enter any lands under cultivation or  
15 enclosed by a fence, belonging to, or occupied by, another, or to  
16 enter any uncultivated or unenclosed lands, including lands  
17 temporarily inundated by waters flowing outside the established  
18 banks of a river, stream, slough, or other waterway, where signs  
19 forbidding trespass are displayed at intervals not less than one per  
20 one-third mile along all exterior boundaries and at all roads and  
21 trails entering such lands, for the purpose of discharging any  
22 firearm or taking or destroying any mammal or bird, including any  
23 waterfowl, on such lands without having first obtained written ~~or~~  
24 ~~oral~~ permission from the owner of such lands, or his or her agent,  
25 or the person in lawful possession thereof. Such signs shall be at  
26 least 8 ½ by 11 inches in size and may be of any wording, other  
27 than the wording required for signs under Section 2017, which

1 will fairly advise persons about to enter the land that the use of  
2 such land is so restricted.

3 SEC. 3. Section 4370 of the Fish and Game Code is amended  
4 to read:

5 4370. In every area in which deer may lawfully be taken during  
6 the general open season there is an archery season for the taking  
7 of deer with bow and arrow. The season for each area shall be as  
8 the commission may prescribe, with a minimum interposing  
9 interval of three days immediately preceding the regular open  
10 season on deer in that area. No person taking or attempting to take  
11 deer during such archery season shall carry, or have under his  
12 immediate control, any firearm of any kind. ~~The use of one dog~~  
13 ~~per hunter is permitted during archery season for the purpose of~~  
14 ~~tracking and locating dead or wounded deer.~~ *The commission shall*  
15 *consider adopting regulations that permit, during archery season,*  
16 *the use of one dog per hunter to aid in the recovery of deer.*

17 SEC. 4. No reimbursement is required by this act pursuant to  
18 Section 6 of Article XIII B of the California Constitution because  
19 the only costs that may be incurred by a local agency or school  
20 district will be incurred because this act creates a new crime or  
21 infraction, eliminates a crime or infraction, or changes the penalty  
22 for a crime or infraction, within the meaning of Section 17556 of  
23 the Government Code, or changes the definition of a crime within  
24 the meaning of Section 6 of Article XIII B of the California  
25 Constitution.