

AMENDED IN SENATE APRIL 25, 2011

AMENDED IN SENATE APRIL 5, 2011

SENATE BILL

No. 752

Introduced by Senator Berryhill
(Coauthor: Assembly Member Chesbro)

February 18, 2011

An act to add Section 3032 to the Fish and Game Code, relating to entitlements.

LEGISLATIVE COUNSEL'S DIGEST

SB 752, as amended, Berryhill. Entitlements: voluntary donations.

Existing law requires each person who takes birds or mammals in California to apply for, and be granted, a hunting license. Existing law authorizes specified persons to obtain tags or stamps for the taking of specific animals or aquatic species, if certain requirements are met.

This bill would require that a person to whom a license, permit, reservation, tag, or other entitlement is issued pursuant to the Automated License Data System have the opportunity at the time of issuance to ~~make a voluntary donation, or voluntarily~~ release contact information; ~~or both,~~ to nonprofit ~~hunting conservation~~ organizations, as defined, through means of a check-off box, or through other means the ~~department~~ *Department of Fish and Game* determines to be appropriate. The bill would require the department to annually transmit ~~collected donation revenues and~~ contact information to the designated nonprofit ~~hunting conservation~~ organization. The bill would authorize the department, ~~to cover its direct administrative costs of implementation,~~ to impose a fee ~~charge~~ on a nonprofit ~~hunting conservation~~ organization; ~~not to exceed 3% of the total annual donations collected for the nonprofit~~

~~hunting organization~~ to recover the reasonable costs of administering these provisions.

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 3032 is added to the Fish and Game Code,
2 to read:

3 3032. (a) A person to whom any license, permit, reservation,
4 tag, or other entitlement is issued pursuant to the Automated
5 License Data System shall have the opportunity at the ~~time of~~
6 ~~issuance to make a voluntary donation, or release contact~~
7 ~~information, or both, to nonprofit hunting~~ time of issuance to
8 voluntarily release his or her contact information to eligible
9 nonprofit conservation organizations through means of a check-off
10 box, or through other means the department determines to be
11 appropriate.

12 (b) A nonprofit conservation organization seeking to receive
13 ~~donations or contact information pursuant to this section shall~~
14 ~~annually shall, once every three years,~~ submit a letter to the
15 department providing evidence that it meets the criteria set forth
16 in subdivision (e). If the department determines that the nonprofit
17 organization is eligible, it shall include the entity in the check-off
18 box or other means determined pursuant to subdivision (a).

19 (c) The department shall annually transmit ~~donation revenues~~
20 ~~and contact information collected pursuant to subdivision (a) to~~
21 the designated nonprofit ~~hunting~~ conservation organization.

22 ~~(d) To recover its direct administrative costs of implementing~~
23 ~~this section, the department may impose a fee on a nonprofit~~
24 ~~hunting organization, not to exceed 3 percent of the total annual~~
25 ~~donations collected for the nonprofit hunting organization pursuant~~
26 ~~to this section.~~

27 (d) *The department may impose a charge on a nonprofit*
28 *conservation organization included in the check-off box or other*
29 *means determined pursuant to subdivision (a) that shall not exceed*
30 *the reasonable costs associated with the administration of this*
31 *section.*

32 (e) As used in this section, “nonprofit ~~hunting~~ conservation
33 organization” means a nonprofit ~~hunting~~ organization, as defined

1 in the Internal Revenue Code, *that is registered with the Attorney*
2 *General* and determined to be eligible by the department that has
3 goals and objectives directly related to the conservation—and
4 management of game species and primarily represents the interests
5 of persons licensed pursuant to Section 3031.

6 ~~(f) Donations made to a nonprofit hunting organization may be~~
7 ~~eligible for tax deductions as provided in the Internal Revenue~~
8 ~~Code. The department shall provide a written receipt for any~~
9 ~~donation made pursuant to this section. and management of fish~~
10 ~~or game species, and, in the previous three calendar years, has~~
11 ~~entered into a contract or other agreement with the department to~~
12 ~~perform habitat or other wildlife conservation work, facilitate~~
13 ~~fishing or hunting opportunities for the public, or raise funds on~~
14 ~~behalf of the department, including the sale of hunting fundraising~~
15 ~~tags or related items.~~

16 ~~(g)~~

17 (f) Any advertising materials produced pursuant to this section
18 are subject to Section 211.

19 ~~(h)~~

20 (g) The department may develop policies and procedures to
21 implement this section, including, but not limited to, those specified
22 in Section 1054.8.