

Introduced by Senator Fuller

February 24, 2012

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

LEGISLATIVE COUNSEL'S DIGEST

SB 1367, as introduced, Fuller. Deer: archery season: concealed firearms.

Existing law establishes an archery season for the taking of deer with bow and arrow. Existing law prohibits a person taking or attempting to take deer during that archery season from carrying, or have under his or her immediate control, any firearm of any kind.

Other existing law generally makes carrying a concealed firearm a crime, but establishes a number of exceptions, including exceptions for peace officers, honorably retired peace officers, and hunters and fishermen while engaged in hunting or fishing.

This bill would revise that archery provision to authorize a peace officer, whether active or honorably retired, or a person with a valid license to carry a concealed firearm, to carry a firearm on his or her person while engaged in the taking of deer with bow and arrow, but would prohibit taking or attempting to take deer with that firearm.

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 4370 of the Fish and Game Code is
- 2 amended to read:

1 4370. (a) In every area in which deer may lawfully be taken
2 during the general open season there is an archery season for the
3 taking of deer with bow and arrow. The season for each area shall
4 be as the commission may prescribe, with a minimum interposing
5 interval of three days immediately preceding the regular open
6 season on deer in that area. ~~No~~ *Except as provided in subdivision*
7 *(b), a person taking or attempting to take deer during such archery*
8 *season shall neither carry, or nor have under his or her immediate*
9 *control, any firearm of any kind.*

10 (b) *A peace officer listed in Chapter 4.5 (commencing with*
11 *Section 830) of Title 3 of Part 2 of the Penal Code, whether active*
12 *or honorably retired, or a person with a valid license to carry a*
13 *concealed firearm pursuant to Chapter 4 (commencing with Section*
14 *26150) of Division 5 of Title 4 of Part 6 of the Penal Code, may*
15 *carry a firearm on his or her person while engaged in the taking*
16 *of deer with bow and arrow in accordance with subdivision (a),*
17 *but shall not take or attempt to take deer with the firearm.*