

**ASSEMBLY BILL**

**No. 298**

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**Introduced by Assembly Member Gonzalez**

February 12, 2015

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An act to amend Section 12000 of the Fish and Game Code, relating to fish and wildlife.

LEGISLATIVE COUNSEL'S DIGEST

AB 298, as introduced, Gonzalez. Fish and wildlife: violations.

Existing law generally makes any violation of the Fish and Game Code or any rule, regulation, or order made or adopted under the code a misdemeanor, and specifies that a violation of designated statutes or regulations is either an infraction or a misdemeanor.

This bill would make a violation of a specified regulation relating to marine protected areas, marine managed areas, and special closures an infraction or a misdemeanor, except if the person who violates the regulation holds a commercial fishing license or a commercial passenger fishing boat license.

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

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

- 1 SECTION 1. Section 12000 of the Fish and Game Code is
- 2 amended to read:
- 3 12000. (a) Except as expressly provided otherwise in this code,
- 4 any violation of this code, or of any rule, regulation, or order made
- 5 or adopted under this code, is a misdemeanor.

- 1 (b) Notwithstanding subdivision (a), a person who violates any  
 2 of the following statutes or regulations is guilty of an infraction  
 3 punishable by a fine of not less than one hundred dollars (\$100)  
 4 and not to exceed one thousand dollars (\$1,000), or of a  
 5 misdemeanor:
- 6 (1) Section 2009.
  - 7 (2) Subdivision (a) of Section 6596.
  - 8 (3) Section 7149.8.
  - 9 (4) Sections 1.14, 1.17, 1.62, 1.63, and 1.74 of Title 14 of the  
 10 California Code of Regulations.
  - 11 (5) Sections 2.00 to 5.95, inclusive, and 7.00 to 8.00, inclusive,  
 12 of Title 14 of the California Code of Regulations.
  - 13 (6) Sections 27.56 to 30.10, inclusive, of Title 14 of the  
 14 California Code of Regulations.
  - 15 (7) Sections 40 to 43, inclusive, of Title 14 of the California  
 16 Code of Regulations.
  - 17 (8) Section 251.7 of Title 14 of the California Code of  
 18 Regulations.
  - 19 (9) Sections 307, 308, and 311 to 313, inclusive, of Title 14 of  
 20 the California Code of Regulations.
  - 21 (10) Sections 505, 507 to 510, inclusive, and 550 to 553,  
 22 inclusive, of Title 14 of the California Code of Regulations.
  - 23 (11) Section 630 of Title 14 of the California Code of  
 24 Regulations.
  - 25 (12) *Section 632 of Title 14 of the California Code of*  
 26 *Regulations, except if the person who violates this regulation holds*  
 27 *a commercial fishing license issued pursuant to Article 3*  
 28 *(commencing with Section 7850) of Chapter 1 of Part 3 of Division*  
 29 *6 or a commercial passenger fishing boat license issued pursuant*  
 30 *to Article 5 (commencing with Section 7920) of Chapter 1 of Part*  
 31 *3 of Division 6.*