

AMENDED IN ASSEMBLY JUNE 30, 2011

AMENDED IN ASSEMBLY JUNE 20, 2011

AMENDED IN SENATE MAY 3, 2011

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 1065 to the Fish and Game Code, relating to entitlements.

LEGISLATIVE COUNSEL'S DIGEST

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

Under existing law, all licenses, permits, tags, reservations, and other entitlements authorized by the Fish and Game Code are prepared and issued by the Department of Fish and Game. 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 voluntarily *authorize the release of* contact information to nonprofit conservation organizations, as defined, through means of a checkoff box, or through other means the department determines to be appropriate. The bill would require the department to annually transmit contact information to the designated nonprofit conservation

organization and would prohibit a nonprofit conservation organization that receives contact information from the department from sharing that information with any other 3rd party without the prior written consent of the individual to whom the contact information applies. The bill would authorize the department to impose a charge on a nonprofit conservation organization to recover the direct 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 1065 is added to the Fish and Game Code,
2 to read:

3 1065. (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 voluntarily ~~release~~ *authorize the release of* his or her
7 contact information to eligible nonprofit conservation organizations
8 through means of a checkoff box, or through other means the
9 department determines to be appropriate.

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

17 (c) Notwithstanding Section 1050.6, the department shall
18 annually transmit contact information collected pursuant to
19 subdivision (a) to the designated nonprofit conservation
20 organization.

21 (d) The department may impose a charge on a nonprofit
22 conservation organization included in the ~~check-off~~ *checkoff* box
23 or other means determined pursuant to subdivision (a) that shall
24 not exceed the reasonable costs associated with the direct
25 administration of this section.

26 (e) As used in this section, “nonprofit conservation organization”
27 ~~means a nonprofit organization, as defined in the Internal Revenue~~
28 ~~Code, that is registered with the Attorney General and determined~~

1 to be eligible by the department that has goals and objectives
2 directly related to the conservation and management of fish or
3 game species, and, in the previous three calendar years, has entered
4 into a contract or other agreement with the department to perform
5 habitat or other wildlife conservation work, facilitate fishing or
6 hunting opportunities for the public, or raise funds on behalf of
7 the department, including the sale of hunting fundraising tags or
8 related items.

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

11 (g) The department may develop policies and procedures to
12 implement this section, including, but not limited to, those specified
13 in Section 1054.8. *means an entity that the department determines*
14 *meets all of the following:*

15 (1) *It is a nonprofit organization described in Section 501(c)(3)*
16 *of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(3)), that is*
17 *exempt from taxation under Section 501 (a) of that code (26 U.S.C.*
18 *Sec. 501(a)).*

19 (2) *It is registered with the Attorney General.*

20 (3) *Its goals and objectives are directly related to the*
21 *conservation and management of fish and game species.*

22 (4) *In the previous three calendar years, it has entered into a*
23 *contract or other agreement with the department to perform habitat*
24 *or other wildlife conservation work, or to raise funds on behalf of*
25 *the department, including, but not limited to, the sale of hunting*
26 *fundraising tags or related items.*

27 (f) *A nonprofit conservation organization that receives contact*
28 *information from the department pursuant to this section is*
29 *prohibited from sharing that information with any other third party*
30 *without the prior written consent of the individual to whom the*
31 *contact information applies.*