



# **GAINES & ASSOCIATES**

## **“GAINES REPORT”**

### **CALIFORNIA STATE LEGISLATURE**

#### **2019 LEGISLATIVE SESSION UPDATE**

**MAY 24, 2019**

With the legislative deadline for fiscal committees to pass to the Floor bills introduced in their house being last Friday, and the last day for bills to be passed out of their house of origin being next Friday, May 31<sup>st</sup>, activity at the State Capitol has been extremely hectic. This *Gaines Report* “*California State Legislature – 2019 Legislative Session Update*” will provide you with an updated status of legislation of interest to be sure you are fully aware and appropriately engaged in the 2019 Legislative Session as we work to ensure a strong future for wildlife conservation and our outdoor pursuits in California.

*Gaines & Associates* recognizes that our *Gaines Reports* can be lengthy. However, this reporting is done for the sole benefit of our clients who have varying conservation and wildlife interests and concerns. The extensive list of bills covered below is to ensure that all our clients get the sufficient detail they need on the legislation that is of greatest importance to them.

Bills are placed in numerical order – not in order of priority or interest. To view all the detail available on any of the bills listed below, simply click on the bill number and author in **blue type** below.

To learn more about the author(s) of any of the bills listed below, click on the Legislator’s name and district in **blue type** in the detail provided for that bill.

*New information regarding the results of recent hearings on legislation is emphasized in italics.*

*Information on hearing dates, times and locations for those bills that have been scheduled to be heard is provided in in italics in **red type**.*

*This Gaines Report “California State Legislature – 2019 Legislative Session Update” is client privileged and provided as a service to Gaines & Associates clients.*

For more information on any of the below bills, please contact Gaines & Associates at [info@gainesandassociates.net](mailto:info@gainesandassociates.net)

## **2019 State Legislative Session**

- **[AB 18 \(Levine\)](#) – **Firearms: Excise Tax****

As amended April 24<sup>th</sup>, AB 18 – legislation by Assembly Members [Mark Levine \(D/10-San Rafael\)](#), [Bob Bonta \(D/18-Alameda\)](#) and [Adrin Nazarian \(D/46-Van Nuys\)](#) – would impose an excise tax on a retailer in the amount of \$25 per firearm on sale of a handgun or semiautomatic rifle or shotgun sold as new. AB 18 would also establish the California Violence Intervention and Prevention (CalVIP) Grant Program, administered by the Board of State and Community Corrections, to award competitive grants for the purpose of violence intervention and prevention. The bill would require the revenue collected from the tax to be deposited in the CalVIP Firearm Tax Fund, which the bill would also create.

Implementing successful programs for addressing gun violence is something that all Californians support and would benefit from. As such, all of California should equally help to fund their implementation. However, under AB 18, CalVIP would only be funded by law-abiding citizens who legally purchase firearms.

Because AB 18 would result in a taxpayer paying a higher tax, the bill requires approval of <sup>2</sup>/<sub>3</sub> of the membership of each house of the Legislature.

AB 18 was double-referred to the Assembly Public Safety Committee and the Assembly Committee on Revenue and Taxation.

AB 18 passed out of the Assembly Public Safety Committee on a 5 to 3 vote in early April, then out of the Assembly Committee on Revenue and Taxation and to the Assembly Appropriations Committee in late April.

Once in the Assembly Appropriations Committee, AB 18 was placed on the suspense file due to the proposal’s estimated costs of “hundreds of thousands of dollars” to administer and collect the tax, and an additional “hundreds of thousands of dollars” for the state to administer CalVIP grants.

*AB 18 was held in Assembly Appropriations Committee and not heard. Failing to meet the legislative deadline for passing out of fiscal committee to the Floor, AB 18 is now a “two-year” bill, at best, and cannot be heard until the 2020 Legislative Session.*

To view the coalition letter to the author in opposition to AB 18, click [AB 18 – Coalition Oppose](#)

To view the coalition letter to the Assembly Appropriations Committee in opposition to AB 18, click [AB 18 – Assy Approps Coalition Oppose Ltr](#)

To view all the Assembly Committee analyses available on AB 18, click [AB 18 Assy Analyses](#)

To view all the information currently available on AB 18, click [AB 18 Detail](#)

- **[AB 44 \(Friedman\)](#) – **Fur Products: Prohibition -****

As amended April 2<sup>nd</sup>, AB 44 – legislation by Assembly Member [Laura Friedman \(D/43-Burbank\)](#) – would make it a crime to sell, offer for sale, display for sale, trade, give, donate, or otherwise distribute a new fur product in the state. The bill would also make it illegal to manufacture a fur product in the state.

Amendments agreed to by the author at the March 13<sup>th</sup> Assembly Water, Parks and Wildlife Committee hearing and now included in the bill would effectively exempt taxidermy by stating that, for the purposes of this bill, “fur” does not include “the skin or hide with or without the hair, fleece, or fur fibers attached thereto of any lawfully taken game mammal”.

AB 44 also exempts “used” fur products but would require that a person that sells or trades an exempt fur product maintain a record of each sale or trade for at least one year.

AB 44 defines a “fur product” as any article of clothing or covering for any part of the body, or any fashion accessory, including, but not limited to, handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, and keychains, toys or trinkets, and home accessories and decor, that is made in whole or in part of fur. The bill would not apply to dog or cat fur products.

AB 44 would become operative on January 1, 2021.

AB 44 was double-referred to the Assembly Water, Parks and Wildlife Committee and the Assembly Committee on Judiciary.

AB 44 passed out of the Assembly Water, Parks and Wildlife Committee on a 10 – 4 party-line vote in mid-March. The bill then passed out of the Assembly Committee on Judiciary and to the Assembly Appropriations Committee on a 9 – 2 vote in late March. Once in the Assembly Appropriations Committee, AB 44 was placed in the suspense file due to the measure’s estimated cost to the Department of Fish and Wildlife (DFW) which includes: 1) One-time costs of approximately \$425,000 to provide equipment, vehicles, weapons and office space for an additional three wardens in the Wildlife Tracking Unit; and 2) Ongoing annual DFW enforcement costs of approximately \$600,000 to add three wardens in the Wildlife Tracking Unit.

*AB 44 was pulled off suspense and heard in the Assembly Appropriations Committee on May 16<sup>th</sup>, passing out on a 13 to 5 party-line vote.*

*AB 44 is now on the Assembly Floor where it could be brought up for a Floor vote at any time.*

To view all the Assembly Committee analyses available on AB 44, click [AB 44 Assy Analyses](#)

To view all the information currently available on AB 44, click [AB 44 Detail](#)

- **[AB 273 \(Gonzalez\)](#) – **Recreational and Commercial Fur Trapping: Prohibition****

As amended March 5<sup>th</sup>, AB 273 – legislation by Assembly Member [Lorena Gonzalez \(D/80-San Diego\)](#) – would make it illegal to trap any fur-bearing mammal or nongame mammal for purposes of recreation or commerce in fur; prohibit the purchasing or sale of raw fur, as well as products or handicraft items made from fur-bearing mammals and nongame mammals; and recast the authorization provided by a trapping license to only apply to the taking of fur-bearing mammals and nongame mammals, and remove the authorization of the sale of raw fur. AB 273 would also eliminate fur dealer and fur agent licenses.

AB 273 passed out of the Assembly Water, Parks and Wildlife Committee in March on a party-line vote of 9 to 3. The bill was then heard in the Assembly Appropriations Committee in early April, passing out and to the Assembly Floor on a 12 to 3 vote. AB 273 then passed off the Assembly Floor in late April on a 51 to 19 vote.

*Now on the Senate side, the bill has been referred to the Senate Natural Resources and Water Committee where it has been set to be heard on Tuesday, June 11<sup>th</sup>. The hearing will be held in State Capitol, Room 112, and will begin at 9:30 AM.*

To view the coalition letter in opposition to AB 273, click [AB 273 – AWPW Coalition Oppose Ltr](#)

To view all the Assembly analyses on AB 273, click [AB 273 Assy Analyses](#)

To view all the information currently available on AB 273, click [AB 273 Detail](#)

- [AB 276 \(Friedman\)](#) – **Firearms: Storage**

As amended March 21<sup>st</sup>, AB 276 – legislation by Assembly Member [Laura Friedman \(D/43-Burbank\)](#) – would require a person who is 18 years of age or older and who is the owner, lessee, renter, or other legal occupant of a residence to ensure that any firearm that person owns or controls is securely stored against theft or unauthorized access while that person is outside that residence. The bill defines a firearm as being “securely stored” if it is secured with an operable device that is listed on the Department of Justice’s roster of approved firearm safety devices and that is identified as appropriate for that firearm by reference to either the manufacturer and model of the firearm, or to the physical characteristics of the firearm that matches those listed on the roster for use with the device.

AB 276 would not apply to firearms that have been lawfully and temporarily loaned by that person to another individual who is 18 years of age or older and not prohibited by law from possessing or receiving that firearm. The bill would also not apply to unloaded antique firearms.

AB 276 would prohibit a person convicted under these provisions or under other provisions regulating the storage of firearms, from owning, purchasing, receiving, or having in their possession or control, any firearm within 10 years of the conviction.

As amended March 21<sup>st</sup>, a violation of this section is punishable as an infraction by a fine of not less than \$250, nor more than \$1,000.

AB 276 was set to be heard in the Assembly Public Safety Committee on March 12<sup>th</sup>, but the bill was pulled from agenda by the author. The bill was rescheduled to be heard in Assembly Public Safety Committee on March 19<sup>th</sup>, but the bill was again pulled from agenda by the author.

AB 276 was then scheduled to be heard in the Assembly Public Safety Committee on April 2<sup>nd</sup>, but the hearing was postponed by the committee. Failing to meet the legislative deadline. AB 276 is now a “two-year bill” and cannot not be heard until the 2020 Legislative Session.

To view the Assembly Public Safety Committee analyses on AB 276, click [AB 276 Assy PS Analyses](#)

To view all the information currently available on AB 276, click [AB 276 Detail](#)

- [AB 284 \(Frazier\)](#) – **Junior Hunting Licenses: Eligibility: Age Requirement**

In 2014, AB 1709 – legislation authored by Assembly Member Jim Frazier (D/11-Fairfield) was signed into law which increased junior hunting license age eligibility from 15 to 17 years of age. However, that legislation included a “sunset” provision which requires the age eligibility to revert to 15 years on July 1, 2020, unless the provision is extended by subsequent legislation. As

revised March 26<sup>th</sup>, AB 284 – legislation also authored by Assembly Member Jim Frazier – would extend the junior hunting license age eligibility of 17 years indefinitely.

The benefits of increasing the age eligibility of a junior hunting license from 15 to 17 are numerous *and vital to our state's Recruitment, Retention and Reactivation (R3) Program*. Junior hunting licenses offer young individuals the opportunity to participate in several high quality “youth” hunts made available by DFW and wildlife conservation groups. Junior hunting license are also available at a significantly lower cost (\$12.70) as compared with the adult hunting license (\$48.34). With both cost and limited opportunity and access known to be barriers to hunting participation, AB 284 was intended to help ensure that more of our youth get out in the field for years to come.

AB 284 was heard in the Assembly Water, Parks and Wildlife Committee in March, passing out and to the Assembly Appropriations Committee on a unanimous vote of 14 – 0 vote. Once in the Assembly Appropriations Committee, AB 284 was placed in the suspense file due to the measure's estimated revenue loss to DFW of \$400,000. Projected costs to DFW include a reduction of \$275,000 in hunting license revenue, a \$50,000 reduction in California Duck Stamp revenue, and an estimated \$50,000 reduction in California Upland Game Bird Validations.

*AB 284 was held in Assembly Appropriations Committee and not heard. Failing to meet the legislative deadline for passing out of fiscal committee to the Floor, AB 284 is now a “two-year” bill, at best, and cannot be heard until the 2020 Legislative Session.*

*Recognizing the importance of extending the junior hunting license age eligibility to the R3 Program and the need to do so prior to the July 2020 sunset, Gaines & Associates is currently working closely with the bill's sponsor, California Waterfowl Association, to find another viable vehicle to move this proposal forward during the 2019 Legislative Session.*

Two wildlife conservation organization coalition letters in support of AB 284 have been submitted to the Assembly Water, Parks and Wildlife Committee. To view them, click [AB 284 – AWPW Coalition Support Ltr 1](#) and [AB 284 – AWPW Coalition Support Ltr 2](#)

To view the conservation coalition letter to Assembly Appropriations Committee in support of AB 284, click [AB 284 – Assy Approps Coalition Support Ltr](#)

To view the Assembly Committee analyses on AB 284, click [AB 284 Assy Analyses](#)

To view all the information currently available on AB 284, click [AB 284 Detail](#)

- [AB 584 \(Gallagher\) – Sport Fishing Licenses](#)

As introduced, AB 584 by Assembly Member [James Gallagher \(R/03-Yuba City\)](#) remains a “spot bill” that, as introduced, makes non-substantive amendments to a provision of the Fish and Game Code which deals with sport fishing licenses.

Spot bills are introduced to assure that a germane vehicle will be available to be amended with substantive language after the deadline has passed to introduce bills. As noted above, the deadline for introducing bills in the 2019 Legislative Session was Friday, February 22.

With the devastating Camp Fire taking place squarely in his district, Assembly Member Gallagher's efforts this Session are appropriately focused on addressing the needs of fire victims.

Pursuant to Assembly Rules, AB 584 cannot be referred to a committee until it takes on substantive amendments. Missing legislative deadline, AB 584 is now a “two year” bill at best.

No committee analysis is available at this time for AB 584.

To view all the information currently available on AB 584, click [AB 584 Detail](#)

- [AB 688 \(Chu\)](#) – **Firearms: Vehicle Storage**

Current law requires that a handgun in an unattended vehicle be either locked in the vehicle’s trunk, in a locked container out of plain view, locked in a container that is permanently affixed to the vehicle’s interior and not in plain view, or locked in a toolbox or utility box.

As introduced, AB 688 – legislation by Assembly Member [Kansen Chu \(D/25-Milpitas\)](#) – would make those requirements applicable to all firearms and would require the firearms to be secured to the vehicle’s frame using a steel cable lock or chain and padlock, or in a locked container that is secured using a steel cable lock or chain and padlock or that is permanently affixed to the vehicle.

While it would be troublesome for an individual hunter transporting a single shotgun or rifle to fully address the rigorous provisions of AB 688, the bill would make it tremendously difficult for hunters “car-pooling” to the field with multiple long-guns in their vehicle to comply. Further, it would make it literally impossible for law-abiding Hunter Education Instructors, shooting coaches and others who must transport numerous shotguns and/or rifles for use by their students while on their way to/from the shooting range to adhere to the bill’s requirements.

AB 688 passed out of the Assembly Public Safety Committee and to the Assembly Appropriations Committee in late March on a 5 – 2 party-line vote. Once in the Assembly Appropriations Committee, the bill was placed in the suspense file due to the measure’s cost of as much as \$200,000 for law enforcement to outfit their vehicles with steel cable locks.

*AB 688 was held in Assembly Appropriations Committee and not heard. Failing to meet the legislative deadline for passing out of fiscal committee to the Floor, AB 688 is now a “two-year” bill, at best, and cannot be heard until the 2020 Legislative Session.*

To view the coalition letter to the Assembly Appropriations Committee in opposition to AB 688, click [AB 688 – Assy Approps Coalition Oppose Ltr](#)

To view the Assembly Committee analyses on AB 688, click [AB 688 Assy Analyses](#)

To view all the information currently available on AB 688, click [AB 688 Detail](#)

- [AB 879 \(Gipson\)](#) – **Firearms: Precursor Parts**

As amended May 16<sup>th</sup>, AB 879 – legislation by Assembly Member [Mike A. Gipson \(D/64-Gardena\)](#) – would, beginning July 1, 2023, require the sale of firearm precursor parts to be processed through a licensed firearm precursor part vendor. The bill would require a person or business to have a valid firearm precursor part vendor license to sell more than one firearm precursor part in any 30-day period.

Among many other things, beginning July 1, 2025, the bill would also require the Department of Justice (DOJ) to electronically approve the purchase or transfer of firearm precursor parts through a vendor. The bill would also generally limit the sale of firearm precursor parts to those

individuals whose information matches an entry in the Automated Firearms System and who are eligible to possess a firearm precursor part; to individuals who have a current certificate of eligibility issued by DOJ; or to individuals who purchase or transfer the firearm precursor part in a single transaction.

AB 879 would also create the Firearm Precursor Parts Enforcement Special Fund and allow DOJ to charge firearm precursor part purchasers and transferees a per transaction fee not to exceed \$1.00, with revenues to be deposited into the Fund and used to implement, administer and enforce the program.

AB 879 defines “precursor parts” as a component of a firearm that is necessary to build or assemble a firearm and which is included in certain categories – including, but not limited to: a) an unfinished receiver, including both a single part receiver and a multiple part receiver; b) a finished upper receiver for a multiple part receiver system; and c) an unfinished handgun frame.

AB 879 was heard in the Assembly Public Safety Committee in early April, passing out and to the Assembly Appropriations Committee on a 6 – 2 party-line vote. Once in the Assembly Appropriations Committee, AB 879 was placed in the suspense file due to the measure’s estimated one-time and annual costs of “likely in the low of millions of dollars” for the Department of Justice to create and implement the regulatory and enforcement scheme for licensed firearm precursor part vendors and precursor part sales and transfer.

*AB 879 was pulled off suspense and heard in the Assembly Appropriations Committee on May 16<sup>th</sup>, amended to include the current language, and passed out on a 13 to 5 party-line vote.*

*AB 879 is now on the Assembly Floor where it could be brought up for a Floor vote at any time.*

To view the Assembly Committee analyses on AB 879, click [AB 879 Assy Analyses](#)

To view all the information currently available on AB 879, click [AB 879 Detail](#)

- [AB 893 \(Gloria\)](#) – **Firearm and Ammunition Sales: Del Mar Fairgrounds**

As amended May 15<sup>th</sup>, AB 893 – legislation by Assembly Member [Todd Gloria \(D/78-San Diego\)](#) – would, beginning January 1, 2021, prohibit the sale of firearms and ammunition at the Del Mar Fairgrounds.

AB 893 was heard in the Assembly Public Safety Committee in late March, passing out on a 5 to 2 vote. The bill was then heard in the Assembly Appropriations Committee in early April, passing out and to the Assembly Floor on a 12 to 5 vote. AB 893 then passed off the Assembly Floor and over to the Senate in late April by a 52 to 22 vote.

*Now on the Senate side, the bill has been referred to the Senate Public Safety Committee but has yet to be set for hearing.*

To view all the Assembly analyses on AB 893, click [AB 893 Assy Analyses](#)

To view all the information currently available on AB 893, click [AB 893 Detail](#)

- [AB 1096 \(Melendez\)](#) – **Firearms: Concealed Carry Licenses**

Current law “authorizes” the sheriff of a county or head of a municipal police department to issue a license to carry a concealed handgun or to carry a loaded and exposed handgun if good cause

exists for the issuance and the applicant is of good moral character and satisfies certain other criteria.

As introduced, AB 1096 – legislation by Assembly Member [Melissa A. Melendez \(R/67-Murrieta\)](#) – would have instead “required” the sheriff of a county or head of a municipal police department to issue the license.

This bill defined “good cause” to include self-defense, defending the life of another, or preventing crime in which human life is threatened, and provided procedural guidelines to the issuing authority on determining the presence or absence of “good cause.” AB 1096 also proposed to authorize a resident of another state to apply for a license to carry a handgun from any sheriff in the state using the same procedure and authorize that sheriff to issue a license.

AB 1096 was originally scheduled to be heard in the Assembly Public Safety Committee on March 26<sup>th</sup> but was pulled from hearing by the author. The bill was rescheduled for hearing in the Assembly Public Safety Committee on April 2<sup>nd</sup> and failed passage on a 2 to 5 party-line vote.

To view the Assembly Public Safety Committee analysis of AB 1096, click [AB 1096 Assy PS Analyses](#)

To view all the information available on AB 1096, click [AB 1096 Detail](#)

• [AB 1254 \(Kamlager-Dove\)](#) – **Bobcats: Take Prohibition**

As amended April 11<sup>th</sup>, AB 1254 – legislation by Assembly Member [Sydney Kamlager-Dove \(D/54-Culver City\)](#) – would, until January 1, 2025, fully prohibit the hunting of bobcats. Commencing January 1, 2025, AB 1254 would re-authorize the Fish and Game Commission - - through its normal mammal hunting rulemaking process -- to reopen a bobcat hunting season in any area determined by the Commission to "require" a hunt. The language of the bill specifies that, in doing so, the Commission shall consider the potential impacts of a bobcat hunting season, including: 1) bobcat populations; 2) bobcat wild prey; 3) disease abatement; 4) the control of invasive species, especially nutria; 5) consideration of public values with regard to the hunting of bobcats; and 6) the administrative, implementation, and enforcement costs to DFW and the Commission associated with bobcat hunting.

As amended, AB 1254 would also require the Commission to set hunting license and bobcat hunting tags fees for any subsequent seasons in which bobcat hunting is allowed at the levels necessary to fully recover all the reasonable administrative and implementation costs to DFW and the Commission associated with the hunting of bobcats.

As amended, the bill would also require DFW to develop a bobcat management plan to be submitted to the Commission and the Legislature by January 1, 2024 to inform and coordinate management decisions regarding bobcat populations.

AB 1254 would not preclude the taking of bobcats under a depredation permit.

AB 1254 is a “gut and amend” of a bill which, as introduced, was a “spot bill” dealing with the subject of “fine art”. As amended on March 28<sup>th</sup>, AB 1254 proposed to place a permanent ban on the hunting of bobcats.

Prior to being amended April 11<sup>th</sup>, AB 1254 was heard in the Assembly Water, Parks and Wildlife Committee on April 9<sup>th</sup> passing out on a 9 – 4 party-line vote, despite testimony

provided by the President of the California Fish and Game Commission which pointed out that wildlife management policy decisions – including whether or not bobcats are legally hunted – should be addressed by the Fish and Game Commission rather than in the State Legislature.

Once in the Assembly Appropriations Committee, AB 1254 was placed in the suspense file due to the measure's estimated cost of "up to \$2.5 million" for CDFW to develop and implement a bobcat management plan, \$30,000 to review and update regulations, and the annual loss of \$35,000 from the sales of bobcat tags.

*Regardless of the bill's unreasonable price-tag, AB 1254 was pulled off suspense and heard in the Assembly Appropriations Committee on May 16<sup>th</sup> and passed out on a 13 to 5 party-line vote. AB 1254 was then brought up for vote on the Assembly Floor on May 23, passing out and over to the Senate on a 48 to 18 vote.*

To view all the Assembly Committee analyses of AB 1254, click [AB 1254 Assy Analyses](#)

To view the coalition letter to the Assembly Water, Parks and Wildlife Committee in opposition to AB 1254, click [AB 1254 Coalition Oppose Ltr - AWPW](#)

To view the coalition letter to the Assembly Appropriations Committee in opposition to AB 1254, click [AB 1254 Coalition Oppose Ltr – Assy Approps](#)

To view all the information currently available on AB 1254, click [AB 1254 Detail](#)

- [AB 1297 \(McCarty\)](#) – **Firearms: Concealed Carry Licenses**

Existing law allows the licensing authority of any city, city and county, or county to charge an additional fee for a new concealed carry license in an amount equal to the actual costs for processing the application for a new license. Under current law, that additional fee may not exceed \$100.

As introduced, AB 1297 – legislation by Assembly Member [Kevin McCarty \(D/07-Sacramento\)](#) – would require, rather than authorize, the local licensing authority to charge the fee and would require the fee to be in an amount equal to the reasonable costs for processing the application, issuing and enforcing the license. Further, AB 1297 would delete the prohibition on charging more than \$100 for the fee.

AB 1297 was heard in the Assembly Public Safety Committee in early April, passing out and to the Assembly Floor on a 5 – 2 vote. The bill then passed off the Assembly Floor and over to the Senate on a 48 – 21 vote on May 13<sup>th</sup>.

*Now on the Senate side, AB 1297 has been referred to the Senate Public Safety Committee but has yet to be scheduled for hearing.*

To view all the Assembly analyses of AB 1297, click [AB 1297 Assy Analyses](#)

To view all the information currently available on AB 1297, click [AB 1297 Detail](#)

- [AB 1387 \(Wood\)](#) – **Sport Fishing Licenses: 12 Consecutive Month Licenses**

As amended May 20<sup>th</sup>, AB 1387 – legislation by Assembly Member [Jim Wood \(D/02-Eureka\)](#) – would, in addition to offering California residents a traditional calendar year fishing license,

require DFW to offer a license that is valid for 12 consecutive months beginning on the date of purchase upon payment of a fee that is equal to 130% of the cost of the traditional calendar-year sport fishing license. AB 1387 would require DFW to provide applicants for these licenses the option of signing up for automatic renewal of the license by electronic payment and would set the fee for licenses issued upon automatic renewal at the same price as a calendar-year sport fishing license.

The bill would require the Fish and Game Commission to adjust the cost of the licenses, as necessary, to fully recover, but not exceed, all reasonable implementation and administrative costs of DFW and the Commission relating to the licenses – including all costs related to the establishment and enforcement of these licenses.

AB 1387 would require DFW to submit a written report to the Legislature by December 1, 2024, regarding the implementation of the new licensing periods and fees. The bill’s provisions would go into effect on January 1, 2021 and would “sunset” on January 1, 2026 unless extended by subsequent legislation.

AB 1387, as introduced, was heard in the Assembly Water, Parks and Wildlife Committee in April, passing out and to the Assembly Appropriations Committee on a unanimous 14 – 0 bipartisan vote. Once in the Assembly Appropriations Committee, AB 1387 was promptly placed on suspense due to estimated revenue losses to DFW to be from \$1.14 million to \$5.12 million annually for five years, as well as an additional loss of \$400,000 annually from revenue received for issuing duplicate licenses, and one-time costs of approximately \$50,000 to provide outreach and update regulations.

*AB 1387 was pulled off suspense and heard in the Assembly Appropriations Committee on May 16<sup>th</sup>, amended to include the current language, and passed out on a 13 to 0 vote, with five Members not voting. AB 1387 is now on the Assembly Floor where it could be brought up for a Floor vote at any time.*

Note that the bill’s sponsor, the *California Sportfishing League (CSL)*, is not pleased with the amendments placed into the bill in Assembly Appropriations Committee that would require the DFW to continue to offer the current calendar license and offer a 365-day license at an inflated price. CSL is now working with Assembly Member Wood on potential amendments that would provide for a “365 day” license without a pricing premium.

To view the coalition letter in support of AB 1387, click [AB 1387 Coalition Support Ltr](#)

The view the Assembly Committee analyses of AB 1387, click [AB 1387 Assy Analyses](#)

To view all the information currently available on AB 1387, click [AB 1387 Detail](#)

- [AB 1746 \(Melendez\)](#) – **Firearms: License to Carry Concealed**

As introduced, AB 1746 by Assembly Member [Melissa A. Melendez \(R/67-Murrieta\)](#) is a “spot bill” that makes non-substantive amendments to a provision of the Penal Code which deals with licenses to carry concealed.

Pursuant to Assembly Rules, AB 1746 cannot be referred to a committee until it takes on substantive amendments. Missing legislative deadline, AB 1746 is now a “two year” bill at best.

No committee analysis is available at this time for AB 1746.

To view all the information currently available on AB 1746, click [AB 1746 Detail](#)

- [SB 61 \(Portantino\)](#) – **Firearms: Transfers**

Current law prohibits an individual from making more than one application to purchase a handgun within any 30-day period. Current law also prohibits a firearms dealer from delivering a handgun to a person that within the preceding 30-day period has made another application to purchase a handgun.

As amended May 17<sup>th</sup>, SB 61 – legislation by Senator [Anthony J. Portantino \(D/25-Glendale\)](#) – would, effective July 1, 2021, make the 30-day prohibition and the dealer delivery prohibition applicable to all firearms. As newly amended, SB 61 would also prohibit the sale of a semiautomatic centerfire rifle to persons who are under 21 years of age – eliminating the exemption in current law that allows firearms dealers to sell to a person 18 years of age or older who has a valid hunting license or is an honorably discharged member of the Armed Forces.

SB 61 was heard in the Senate Public Safety Committee in early April, passing out and to the Senate Appropriations Committee on a 5 to 2 party-line vote. Once in Senate Appropriations Committee, SB 61 was placed on suspense due to the measure’s estimated costs, which include: a) an overall annual loss of \$2.23 million in revenue to DOJ resulting from fewer firearm purchases; b) an unknown, but likely significant loss in sales tax revenue resulting from the limitation on the number of long guns a person may purchase; and c) an additional cost of \$281,000 to DOJ to hire short-term staff, purchase of attendant equipment and operating expenses.

*SB 61 was pulled off suspense and heard in the Senate Appropriations Committee on May 16<sup>th</sup>, passing out and to the Senate Floor on a 4 to 2 vote. SB 61, as amended, was then brought up for a vote on the Senate Floor on May 22<sup>nd</sup>, passing out and to the Assembly on a 27 – 10 vote.*

*SB 61 is now in the Assembly but has yet to be assigned to committee.*

To view the Senate Committee analyses of SB 61, click [SB 61 Sen Analyses](#)

To view all the information currently available on SB 61, click [SB 61 Detail](#)

- [SB 172 \(Portantino\)](#) – **Firearms**

Under existing law, it is illegal for a person to keep a loaded firearm within a premises with knowledge that a child is likely to gain access to the firearm.

Among many other things, as amended April 25<sup>th</sup>, SB 172 – legislation by Senator [Anthony J. Portantino \(D/25-Glendale\)](#) – would extend this law to unloaded firearms.

SB 172 was heard in the Senate Public Safety Committee in early April, passing out on a 6 to 0 unanimous vote. The bill was then slated to go to the Senate Appropriations Committee for its next hearing but was withdrawn and instead double-referred to the Senate Human Services Committee. The bill was then heard in the Senate Human Services Committee in late April, passing out to the Senate Appropriations Committee on a 5 to 1 vote.

Once in the Senate Appropriations Committee, SB 172 was promptly placed on suspense due to costs which include: estimated one-time cost to the Department of Social Services of \$298,000 in year one of implementation, and \$274,000 in year two for a two-year contract to provide training for all field staff for compliance with this measure, one limited term staff to develop and promulgate regulations, and one permanent field staff member to complete facility inspections for firearm safety; ongoing annual costs to DOJ of \$74,000 for a permanent Research Data Specialist; and unknown, potentially-significant workload cost pressures to the courts.

*SB 172 was pulled off suspense and heard in the Senate Appropriations Committee on May 16<sup>th</sup>, passing out and to the Senate Floor on a 4 to 2 vote. SB 172 was then bought up for a vote on the Senate Floor on May 22<sup>nd</sup>, passing out on a 26 – 9 vote.*

*SB 172 is now in the Assembly but has yet to be assigned to committee.*

To view all the Senate analyses of SB 172, click [SB 172 Analyses](#)

To view all the information currently available on SB 172, click [SB 172 Detail](#)

• [SB 220 \(Hill\)](#) – **Firearms Dealers: Storage and Security**

Current law generally requires all inventory firearms of a firearms dealer to be stored in the licensed location when the firearms dealer is not open for business and for the dealer to secure the firearms by either: 1) storing them in a secure facility that is a part of, or that constitutes, the firearms dealer’s business premises; 2) securing them with a steel rod or cable with specified features; or 3) storing them in a locked fireproof safe or vault in the business premises.

As introduced, SB 220 – legislation by Senator [Jerry Hill \(D/13-San Mateo\)](#) – would, in addition to the above, require the firearms also be secured using one of several methods – including, but not limited to: a) stored in a locked fireproof safe or vault; b) stored in a display case made with a steel frame that is no thinner than 12 gauge, fitted with a hardened steel lock where the case opens to access the firearm, and that is fitted with smash-proof polycarbonate panels that are at least one-quarter inch thick, or glass that is specifically designed to delay unauthorized access with a minimum thickness of at least 8 mils; c) stored in a windowless room equipped with a steel security door fitted with a deadbolt lock, and that does not have a door exposed to the outside of the building; and d) stored behind a steel roll-down door or security gate, or secure the firearm in a locked steel gun rack by use of a hardened steel bar.

If the firearm dealer’s location is at street level, SB 220 would also require they install concrete or hardened steel bollards or other barriers capable of stopping a 5,000-pound vehicle traveling at 30 miles per hour to protect the location’s front entrance, any floor-to-ceiling windows, and any other doors, that could be breached by the vehicle.

If passed, SB 220 would take effect on July 1, 2020.

*Gaines & Associates* believes that California already places severe security requirements on our firearms dealers, including storing their inventory in a “secure facility” which, as defined, includes numerous security precautions – all of which must be satisfied. SB 220 would impose unnecessary additional security requirements costing tens of thousands of dollars on most firearms dealers. Although some larger firearms dealers may be able to absorb these costs, SB 220 would have a devastating financial impact on most smaller dealers, driving many of them out of business – with the greatest impact felt in rural areas.

Senator Hill authored similar legislation, SB 464, in 2017. That bill was passed by the State Legislature but vetoed by Governor Brown. In his veto message on SB 464, Governor Brown stated “This bill would require additional security enhancements on the premises of all licensed firearms dealers in California. State law already requires that firearms dealers enact security measures to avoid theft. Local jurisdictions can-and have-gone further by adding additional specific requirements. I believe local authorities are in the best position to determine what, if any additional measures are needed in their jurisdictions.”

SB 220 was heard in the Senate Public Safety Committee in early April, passing out on a 5 to 2 party-line vote. The bill was then set to be heard in Senate Appropriations Committee in late April but was sent direct to the Senate Floor pursuant to Senate Rule 28.8. (Senate Rule 28.8 allows the chair of the Senate Appropriations Committee to send any bill that does not appropriate money direct to the Floor without hearing if they determine that: a) any additional state costs are not significant and do not and will not require the appropriation of additional state funds; and b) the bill will cause no significant reduction in revenues.

SB 220 was brought up for vote on the Senate Floor on May 2<sup>nd</sup>, passing out and to the Assembly on a 26 to 10 vote. Now in the Assembly, SB 220 has been referred to Assembly Public Safety Committee but has yet to be set for hearing.

To view the Senate analyses of SB 220, click [SB 220 Sen Analyses](#)

To view the coalition letter in opposition to SB 220, click [SB 220 Coalition Oppose Ltr](#)

To view all the information currently available on SB 220, click [SB 220 Detail](#)

- [SB 281 \(Wiener\)](#) – **Cow Palace Joint Powers Authority**

As amended April 11<sup>th</sup>, SB 281 – legislation by Senator [Scott D. Wiener \(D/11-San Francisco\)](#) – would establish the Cow Palace Authority for the purpose of managing the real property known as the Cow Palace. Coined the “Cow Palace Authority Act”, the bill, among many other things, would prohibit the sale of firearms and ammunition at the Cow Palace after January 1, 2020, except as provided in any contract entered into on or before December 31, 2019. The bill would exclude from its provisions a gun buy-back event held by a law enforcement agency.

SB 281 was triple-referred to the Senate Governance and Finance Committee, Senate Governmental Organization Committee and the Senate Public Safety Committee. The bill first passed out of the Senate Governance and Finance Committee on a 4 to 2 vote in late March, then out of the Senate Governmental Organization Committee on a 10 to 4 vote in early April.

SB 281 was then heard in the Senate Public Safety Committee in mid-April, passing out on a 4 to 2 vote. The bill was then set to be heard in Senate Appropriations Committee on May 6<sup>th</sup> but was pulled from the agenda by the author. Having missed legislative deadline, SB 281 is a two-year bill, at best, and cannot be heard until the 2020 Session.

SB 281 was likely pulled from being heard in Senate Public Safety Committee due to action taken by the Cow Palace Board of Directors. On April 16<sup>th</sup> Cow Palace Board of Directors voted to approve a statement that discontinues all future gun shows at the venue beginning January 1, 2020. While the Cow Palace is a state-owned venue, apparently the Board of Directors wanted to vote on this action before State Legislators approve a Senate Bill on the ban. The Cow Palace currently hosts five gun shows a year, including the largest gun show on the West Coast for over 30 years.

SB 281 requires approval of  $\frac{2}{3}$  of the membership of each house of the Legislature.

To view all available Senate Committee analyses of SB 281, click [SB 281 Sen Analyses](#)

To view all the information currently available on SB 281, click [SB 281 Detail](#)

- [SB 307 \(Roth\)](#) – **Water Conveyance: Use of Facility with Unused Capacity.**

Existing law prohibits the state or a regional or local public agency from denying a bona fide transferor of water from using a water conveyance facility that has unused capacity for the period of time for which that capacity is available, if fair compensation is paid for that use and other requirements are met.

As amended April 30<sup>th</sup>, SB 307 – legislation by Senator [Richard D. Roth \(D/31-Riverside\)](#) – would prohibit a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands that are in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission (SLC), in consultation with DFW, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands. The bill would also require a transferor of water to submit an application to the SLC before using a water conveyance facility. Should the SLC find that the transfer of the water would not adversely affect the natural or cultural resources of those lands, the transferor of water must annually report to the SLC on the condition of the groundwater basin.

*Gaines & Associates* is working this bill on behalf of our clients that have concerns over the impact that the transfer of groundwater from basins underlying desert or other lands would have on the availability of water for wild sheep and other wildlife in these areas.

SB 307 was heard in the Senate Natural Resources and Water Committee in early April, passing out and to the Senate Appropriations Committee on a 5 – 1 vote. Once in Senate Appropriations Committee, SB 307 was placed on suspense due to its projected costs which include: a) ongoing annual costs of roughly \$500,000 for DFW to review water transfers and conduct analyses; and b) costs likely in the “low hundreds of thousands” for the SLC to review applications. However, these costs to the SLC would be reimbursed by the project proponent.

*SB 307 was pulled off suspense and heard in the Senate Appropriations Committee on May 16<sup>th</sup>, passing out and to the Senate Floor on a 4 to 2 vote. SB 307 was then brought up for a vote on the Senate Floor on May 21<sup>st</sup>, passing out on a 21 – 11 vote.*

*SB 307 is now in the Assembly but has yet to be assigned to committee.*

To view the Senate analyses of SB 307, click [SB 307 Sen Analysis](#)

To view all the information currently available on SB 307, click [SB 307 Detail](#)

- [SB 376 \(Portantino\)](#) – **Firearms: Transfers**

Current law generally requires any person who sells, leases, or transfers firearms to be a licensed firearms dealer, but exempts infrequent sales, leases, and transfers from this requirement. Existing law also generally prohibits the purchase or receipt of a firearm by, or sale, transfer, or loan of a firearm to a person who does not have a firearm safety certificate, but exempts from this requirement, the infrequent loan of a firearm. Existing law defines “infrequent” to mean less than

six handgun transactions per calendar year but does not limit long gun transactions that are “occasional and without regularity.”

As amended May 17<sup>th</sup>, SB 376 – legislation by Senator [Anthony J. Portantino \(D/25-Glendale\)](#) – would, among many other things, redefine “infrequent” to mean less than six firearm transactions per calendar year, regardless of the type of firearm, and no more than 50 total firearms within those transactions.

SB 376 was heard in the Senate Public Safety Committee in early April, passing out on a 5 to 1 party-line vote. The bill was briefly heard in Senate Appropriations Committee in late April and placed in the suspense file.

*SB 376 was pulled off suspense and heard in the Senate Appropriations Committee on May 16<sup>th</sup>, passing out and to the Senate Floor on a 4 to 2 vote.*

*SB 376 is now on the Senate Floor where it could be brought up for a vote at any time.*

To view the Senate analyses of SB 376, click [SB 376 Sen Analyses](#)

To view all the information currently available on SB 376, click [SB 376 Detail](#)

- [SB 395 \(Archuleta\)](#) – “**Wildlife Traffic Safety Act**”

As amended April 29<sup>th</sup>, SB 395 – legislation by Senator [Bob Archuleta \(D/32-Cerritos\)](#) – would improve public safety and help protect our wildlife resources by reducing the frequency of vehicle-wildlife collisions on California’s roadways. Coined the “Wildlife Traffic Safety Act”, SB 395 would also help clean California’s roadways, while reducing the needless waste of a healthy, free-range wild food source. This legislation is sponsored by the *California Deer Association* with the assistance of *Gaines & Associates*, and in coordination with the *Road Ecology Center* at the *University of California at Davis*

Specifically, SB 395 would authorize motorists to recover, transport and salvage for human consumption edible portions of deer, elk, antelope and wild pig accidentally killed by their vehicle or another vehicle – provided they obtain a wildlife salvage permit within 24 hours and report the location, animal type, date, time and characteristics of the incident to DFW via a no-cost web portal or cell phone application. Motorists who do not choose to salvage animals, although not required, can still report them to facilitate their removal and possible use.

As amended April 29<sup>th</sup>, SB 395 will: a) provide the Fish and Game Commission with the authority to restrict the roadways where salvage may be conducted, if necessary; b) require DFW to develop and make available to the public a user friendly cellphone-based application to facilitate participation in the program; c) make the program a "pilot" program by putting a "sunset" in the bill for January 1, 2029; d) require the Commission to promote the salvage program beyond traditional hunting interests to the general public in order to encourage reporting of dead wildlife along the state’s roadways; and e) require DFW to make wildlife salvage permits available for issuance no later than January 1, 2022.

Although the “meat salvage” aspect of the bill continues to garner all the headlines, the reporting aspect is a key component of the proposal. SB 395 would facilitate critically needed reporting of where vehicle/wildlife collisions occur so Caltrans, DFW, CHP and other state agencies can better assess where future wildlife highway crossings would provide the greatest benefits for both wildlife and motorists.

SB 395 was heard in the Senate Natural Resources and Water Committee in early April, passing out and to the Senate Appropriations Committee on a 9 – 0 unanimous vote.

*Once in the Senate Appropriations Committee, SB 395 was placed on suspense due to its cost to the state estimated at “in the low millions” for DFW to issue permits, develop a website and phone application, conduct poaching law enforcement, conduct public outreach, and collect and make certain information available on its website to the public.*

*SB 395 was pulled off suspense and heard in the Senate Appropriations Committee on May 16<sup>th</sup>, passing out and to the Senate Floor on a 6 to 0 vote. Once on the Senate Floor the bill was placed on the special consent calendar, passing out on a 38 to 0 vote on May 23<sup>rd</sup>.*

Should SB 395 be signed into law, it would not be the first time such a program was in place in California. From 1988 to 2008, a wild meat salvage program was conducted along State Route 97 in Siskiyou County providing over 34,000 pounds of wild meat to hundreds of local families in need. Similar successful programs are also currently in place in Alaska, Idaho, Montana, Oregon, and Washington.

To view the conservation coalition letter to Senate Natural Resources and Water Committee in support of SB 395, click [SB 395 – Coalition Support Ltr - SNRW](#)

To view the conservation coalition letter to Senate Appropriations Committee in support of SB 395, click [SB 395 – Coalition Support Ltr – Sen Approps](#)

To view the available Senate analyses of SB 395, click [SB 395 Assy Analysis](#)

To view all the information currently available on SB 395, click [SB 395 Detail](#)

- [SB 410 \(Nielsen\)](#) – **Hunting and Fishing Guides**

Current law requires a person who engages in the business of guiding or packing, or who acts as a guide for any consideration or compensation, to obtain a guide license from DFW before engaging in those activities. Current law also requires the applicant to submit proof of having obtained a surety bond in the amount of not less than \$1,000 as a condition of receiving a license. Under current law, a guide license is valid from February 1 to January 31 of the succeeding year or, if issued after February 1, for the remainder of the license year.

As introduced, SB 410 – legislation by Assembly Member [Jim Nielsen \(R/04-Yuba City\)](#) – would, among other things, change the valid period of a guide license to the period of a calendar year. The bill would also increase the amount of the required surety bond to \$2,500 and increase the fee for a guide license to a “yet to be determined” amount. SB 410 would also require the Fish and Game Commission to adopt a visual system of guide identification stickers and require guides to use the identification stickers when providing guiding or packing services to a client.

The bill would make these provisions operative on January 1, 2021.

*SB 410 was referred to the Senate Natural Resources and Water Committee but was never set for hearing. Having missed the legislative deadline for being heard and passed out of the Senate policy committee, SB 410 is now, at best, a “two-year bill” and cannot not be heard until the 2020 Legislative Session.*

No committee analysis is available at this time for SB 410.

To view all the information currently available on SB 410, click [SB 410 Detail](#)

- [SB 474 \(Stern\)](#) – **California Wildlife Protection Act of 1990: Habitat Conservation Fund** Proposition 117 ("The California Wildlife Protection Act") -- approved by California's general public on the June 1990 ballot -- outlawed the hunting of mountain lions in California. Proposition 117 also created the Habitat Conservation Fund (HCF) and required the annual transfer of \$30 million into the HCF until the year 2020, with the funds be used for the acquisition, restoration and enhancement of deer, mountain lion and other wildlife habitats, as well as wetland, riparian and aquatic habitats. In fact, in just the past ten years (2008 - 2018) the HCF has spent nearly \$50 million on the acquisition of over 290,000 acres of wetlands alone.

As the primary recipient of HCF funding, the Wildlife Conservation Board (WCB) has conserved and protected more than a half-million acres of habitat within California since 1990. With the HCF set to "sunset" in 2020, the annual \$30 million-dollar appropriation to this important annual habitat funding source will cease and the funding allocated to other uses.

As amended May 21<sup>st</sup>, SB 474 – legislation by Senator [Henry I. Stern \(D/27-Calabasas\)](#) – would establish the Wildlife Protection Subaccount in the Habitat Conservation Fund and would require the Controller, if an appropriation is made for this purpose in any fiscal year, to transfer \$30,000,000 from the General Fund to the subaccount, less any amount transferred from other specified accounts and funds. Funds placed in the Wildlife Protection Subaccount are to be expended by WCB for the acquisition, enhancement, or restoration of wildlife habitat.

As originally introduced, SB 474 dealt with the appropriation of water. However, the bill was gutted and originally amended on April 22<sup>nd</sup> to extend the sunset of the HCF for 30 years, until January 1, 2051. Recent amendments placed in the bill deleted the extension of the HCF, and instead create the Wildlife Protection Subaccount in the HCF for the same purpose. SB 474, as currently written would “require” the Controller to transfer the \$30,000,000 from the General Fund if the funds are appropriated by the Legislature in any given year.

SB 474, as amended April 22<sup>nd</sup>, was heard in the Senate Natural Resources and Water Committee in late April, passing out on a 9 – 0 vote. The bill was briefly heard in Senate Appropriations Committee in early May and placed in the suspense file.

*SB 474 was pulled off suspense and heard in the Senate Appropriations Committee on May 16<sup>th</sup>, amendments agreed to, and passed out to the Senate Floor on a 6 – 0 vote.*

*SB 474 is now on the Senate Floor where it could be brought up for a vote at any time.*

To view the conservation coalition letter to the Senate Appropriations Committee in support of SB 474, click [SB 474 – Sen Approps Coalition Support Ltr](#)

Although SB 474 continues to move, action related to funding the HCF is now also underway on the Assembly side in the 2019 State Budget discussion. Assembly Budget Subcommittee 3 is now proposing to extend the sunset of the HCF by 10 years, to January 1, 2030.

To view the Senate analyses of SB 474, click [SB 474 Sen Analyses](#)

To view all the information currently available on SB 474, click [SB 474 Detail](#)

- [SB 723 \(Jones\)](#) – **Firearms: Dealers Record of Sale**

As introduced, SB 723 – legislation by Senator [Brian Jones \(R/38-El Cajon\)](#) is a “spot bill” on the provision of the Penal Code that currently requires the Attorney General to maintain a registry of all firearm owners consisting of the name, address, identification, place of birth, telephone number, occupation, sex, description, and all legal names and aliases used by the owner of a particular firearm as listed on the Dealer’s Record of Sale or other specified reports.

Lacking substantive language, SB 723 has not yet been referred to a committee. Having missed the legislative deadline for being heard and passed out of the Senate policy committee, SB 723 is now, at best, a “two-year bill” and cannot not be heard until the 2020 Legislative Session.

No committee analysis is available on SB 723.

To view all the information currently available on SB 723, click [SB 723 Detail](#)

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