

AMENDED IN ASSEMBLY AUGUST 24, 2006

AMENDED IN SENATE APRIL 26, 2005

SENATE BILL

No. 686

Introduced by Senator Machado Lowenthal
(Principal coauthor: Senator Machado)
(Principal coauthor: Assembly Member Arambula)

February 22, 2005

~~An act to repeal and add Section 2118 of the Fish and Game Code, relating to wild animals.~~ *An act to amend Sections 7072, 7073, 7073.8, 7074, 7076.1, 7097, 7099, and 7116 of, and to add Sections 7073.1, 7074.2, 7082.2, and 7085.1 to, the Government Code, relating to economic development, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 686, as amended, ~~Machado Lowenthal. Wild animals.~~ *Economic incentive areas.*

Existing law provides for the designation and oversight by the Department of Housing and Community Development of various economic development areas in the state, including enterprise zones, up to 2 Manufacturing Enhancement Areas, a targeted tax area, and local agency military base recovery areas, or LAMBRA's, pursuant to which qualifying entities in those areas may receive various tax and regulatory incentives.

This bill would make various revisions in the requirements for designating and administering enterprise zones generally. It would provide for the administration and oversight of geographically targeted economic development areas, known as G-TEDAs, which would include enterprise zones, Manufacturing Enhancement Areas,

the targeted tax area, and LAMBRAs, by the department, subject to specified criteria. It would also apply various requirements applicable to those entities to the G-TEDAs.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law prohibits the importation, transportation, possession, or live release of specified wild animals, except under a revocable, nontransferable permit. Existing law permits the Fish and Game Commission, by regulation, and in cooperation with the Department of Food and Agriculture, to add or delete wild animals from the list of specified wild animals.~~

~~This bill would modify the list of wild animals by adding and deleting specified animals from that list.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: ~~no~~
yes. State-mandated local program: no.

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

1 SECTION 1. Section 7072 of the Government Code is
2 amended to read:

3 7072. For purposes of this chapter, the following definitions
4 shall apply:

5 (a) "Department" means the Department of Housing and
6 Community Development.

7 (b) "Date of original designation" means the earlier of the
8 following:

9 (1) The date the eligible area receives designation as an
10 enterprise zone by the department pursuant to this chapter.

11 (2) In the case of an enterprise zone deemed designated
12 pursuant to subdivision (e) of Section 7073, the date the
13 enterprise zone or program area received original designation by
14 the former Trade and Commerce Agency pursuant to Chapter
15 12.8 (commencing with Section 7070) or Chapter 12.9
16 (commencing with Section 7080), as those chapters read prior to
17 January 1, 1997.

18 (c) "Eligible area" means any of the following:

19 (1) An area designated as an enterprise zone pursuant to
20 Chapter 12.8 (commencing with Section 7070), as it read prior to
21 January 1, 1997, or as a targeted economic development area,
22 neighborhood development area, or program area pursuant to

1 Chapter 12.9 (commencing with Section 7080), as it read prior to
2 January 1, 1997.

3 (2) A geographic area that, based upon the determination of
4 the department, fulfills at least one of the following criteria:

5 (A) The proposed geographic area meets the Urban
6 Development Action Grant criteria of the United States
7 Department of Housing and Urban Development.

8 (B) The area within the proposed ~~zone~~ *eligible area* has
9 experienced plant closures within the past two years affecting
10 more than 100 workers.

11 (C) The city or county has submitted material to the
12 department for a finding that the proposed geographic area meets
13 criteria of economic distress related to those used in determining
14 eligibility under the Urban Development Action Grant Program
15 and is therefore an eligible area.

16 (D) The area within the proposed zone has a history of
17 gang-related activity, whether or not crimes of violence have
18 been committed.

19 (3) A geographic area that meets at least two of the following
20 criteria:

21 (A) The census tracts within the proposed ~~zone~~ *eligible area*
22 have an unemployment rate not less than 3 percentage points
23 above the statewide average for the most recent calendar year as
24 determined by the Employment Development Department.

25 (B) The county of the proposed ~~zone~~ *eligible area* has more
26 than 70 percent of the children enrolled in public school
27 participating in the federal free lunch program.

28 (C) The median household income for a family of four within
29 the census tracts of the proposed ~~zone~~ *eligible area* does not
30 exceed 80 percent of the statewide median income for the most
31 recently available calendar year.

32 (d) “Enterprise zone” means any area within a city, county, or
33 city and county that is designated as such by the department in
34 accordance with Section 7073.

35 (e) “Governing body” means a county board of supervisors or
36 a city council, as appropriate.

37 (f) *G-TEDA means a geographically targeted economic*
38 *development area, which is an area designated as an enterprise*
39 *zone, a Manufacturing Enhancement Area, a targeted tax area,*
40 *or a local agency military base recovery area.*

1 ~~(f) “High technology~~
2 ~~(g) “High-technology industries”~~ includes, but is not limited
3 to, the computer, biological engineering, electronics, and
4 telecommunications industries.

5 ~~(g)~~
6 ~~(h) “Resident,”~~ unless otherwise defined, means a person
7 whose principal place of residence is within a targeted
8 employment area.

9 ~~(h)~~
10 ~~(i) (1) “Targeted employment area”~~ means an area within a
11 city, county, or city and county that is composed solely of those
12 census tracts designated by the United States Department of
13 Housing and Urban Development as having at least 51 percent of
14 its residents of low- or moderate-income levels, using either the
15 most recent United States Department of Census data available at
16 the time of the original enterprise zone application or the most
17 recent census data available at the time the targeted employment
18 area is designated to determine that eligibility. The purpose of a
19 “targeted employment area” is to encourage businesses in an
20 enterprise zone to hire eligible residents of certain geographic
21 areas within a city, county, or city and county. A targeted
22 employment area may be, but is not required to be, the same as
23 all or part of an enterprise zone. A targeted employment area’s
24 boundaries need not be contiguous. A targeted employment area
25 does not need to encompass each eligible census tract within a
26 city, county, or city and county. The governing body of each city,
27 county, or city and county that has jurisdiction of the enterprise
28 zone shall identify those census tracts whose residents are in the
29 most need of this employment targeting. Only those census tracts
30 within the jurisdiction of the city, county, or city and county that
31 has jurisdiction of the enterprise zone may be included in a
32 targeted employment area.

33 ~~At~~
34 ~~(2) At~~ least a part of each eligible census tract within a targeted
35 employment area shall be within the territorial jurisdiction of the
36 city, county, or city and county that has jurisdiction for an
37 enterprise zone. If an eligible census tract encompasses the
38 territorial jurisdiction of two or more local governmental entities,
39 all of those entities shall be a party to the designation of a
40 targeted employment area. However, any one or more of those

1 entities, by resolution or ordinance, may specify that it shall not
2 participate in the application as an applicant, but shall agree to
3 complete all actions stated within the application that apply to its
4 jurisdiction, if the area is designated.

5 ~~Each~~

6 (3) *Each* local governmental entity of each city, county, or
7 city and county that has jurisdiction of an enterprise zone shall
8 approve, by resolution or ordinance, the boundaries of its
9 targeted employment area, regardless of whether a census tract
10 within the proposed targeted employment area is outside the
11 jurisdiction of the local governmental entity.

12 (4) (A) *Within 180 days of updated United States census data*
13 *becoming available, each local governmental entity of each city,*
14 *county, or city and county that has jurisdiction of an enterprise*
15 *zone shall approve, by resolution or ordinance, boundaries of its*
16 *targeted employment area reflecting the new census data. If no*
17 *changes are necessary to the boundaries based on the most*
18 *current census data, the enterprise zone may send a letter to the*
19 *department stating that a review has been undertaken by the*
20 *respective local governmental entities and no boundary changes*
21 *are required.*

22 (B) *A targeted employment area boundary approved prior to*
23 *the 2000 United States census data becoming available that has*
24 *not been reviewed and its boundaries revised to reflect the most*
25 *recent census data, shall be reviewed and updated, and a new*
26 *resolution or ordinance submitted by the appropriate local*
27 *governmental entity to the department, by July 1, 2007. However,*
28 *enterprise zones that expire on or prior to December 31, 2008,*
29 *shall be exempt from the update requirement.*

30 SEC. 2. *Section 7073 of the Government Code is amended to*
31 *read:*

32 7073. (a) Except as provided in subdivision (e), any city,
33 county, or city and county with an eligible area within its
34 jurisdiction may complete a preliminary application for
35 designation as an enterprise zone. The applying entity shall
36 establish definitive boundaries for the proposed enterprise zone
37 and the targeted employment area.

38 (b) (1) In designating enterprise zones, the department shall
39 select from the applications submitted those proposed enterprise
40 zones that, upon a comparison of all of the applications

1 submitted, indicate that they propose the most—effective
2 *appropriate*, innovative, and comprehensive regulatory, tax,
3 program, and other incentives in attracting private sector
4 investment in the zone proposed.

5 (2) For purposes of this subdivision, regulatory incentives
6 include, but are not limited to, all of the following:

7 (A) The suspension or relaxation of locally originated or
8 modified building codes, zoning laws, general development
9 plans, or rent controls.

10 (B) The elimination or reduction of fees for applications,
11 permits, and local government services.

12 (C) The establishment of a streamlined permit process.

13 (3) For purposes of this subdivision, tax incentives include,
14 but are not limited to, the elimination or reduction of construction
15 taxes or business license taxes.

16 (4) For the purposes of this subdivision, program and other
17 incentives may include, but are not limited to, all of the
18 following:

19 (A) The provision or expansion of infrastructure.

20 (B) The targeting of federal block grant moneys, including
21 small cities, education, and health and welfare block grants.

22 (C) The targeting of economic development grants and loan
23 moneys, including grant and loan moneys provided by the federal
24 Urban Development Action Grant program and the federal
25 Economic Development Administration.

26 (D) The targeting of state and federal job disadvantaged and
27 vocational education grant moneys, including moneys provided
28 by the federal Job Training Partnership Act of 1982 (Public Law
29 97-300).

30 (E) The targeting of federal or state transportation grant
31 moneys.

32 (F) The targeting of federal or state low-income housing and
33 rental assistance moneys.

34 (G) The use of tax allocation bonds, special assessment bonds,
35 bonds under the Mello-Roos Community Facilities Act of 1982
36 (Chapter 2.5 (commencing with Section 53311) of Part 1 of
37 Division 2 of Title 5), industrial development bonds, revenue
38 bonds, private activity bonds, housing bonds, bonds issued
39 pursuant to the Marks-Roos Local Bond Pooling Act of 1985
40 (Article 4 (commencing with Section 6584) of Chapter 5),

1 certificates of participation, hospital bonds, redevelopment
2 bonds, school bonds, and all special provisions provided for
3 under federal tax law for enterprise community or empowerment
4 zone bonds.

5 (5) In the process of designating new enterprise zones, the
6 department shall take into consideration the location of existing
7 zones and make every effort to locate new zones in a manner that
8 will not adversely affect any existing zones.

9 (6) In designating new enterprise zones, the department shall
10 include in its criteria the fact that jurisdictions have been
11 declared disaster areas by the President of the United States
12 within the last seven years.

13 (7) When reviewing and ranking new enterprise zone
14 applications, the department shall give special consideration or
15 bonus points, or both, to applications from jurisdictions that meet
16 at least two of the following criteria:

17 (A) The percentage of households within the census tracts of
18 the proposed enterprise zone area, the income of which is below
19 the poverty level, is at least 17.5 percent.

20 (B) The average unemployment rate for the census tracts of
21 the proposed enterprise zone area was not less than five
22 percentage points above the statewide average for the most recent
23 calendar year as determined by the Employment Development
24 Department.

25 (C) The applicant jurisdiction has, and can document that it
26 has, a unique distress factor affecting long-term economic
27 development, including, but not limited to, resource depletion,
28 plant closure, industry recession, natural disaster, or military base
29 closure.

30 (c) In evaluating applications for designation, the department
31 shall ensure that applications are not disqualified solely because
32 of technical deficiencies, and shall provide applicants with an
33 opportunity to correct the deficiencies. Applications shall be
34 disqualified if the deficiencies are not corrected within two
35 weeks.

36 (d) (1) Except as provided in paragraph (2), or upon
37 dedesignation pursuant to subdivision (c) of Section 7076.1 or
38 Section 7076.2, a designation made by the department shall be
39 binding for a period of 15 years from the date of the original
40 designation.

1 (2) The designation period for any zone designated pursuant to
2 either Section 7073 or 7085 prior to 1990 may total 20 years,
3 subject to possible dedesignation pursuant to subdivision (c) of
4 Section 7076.1 or Section 7076.2, if the following requirements
5 are met:

6 (A) The zone receives a superior or passing audit pursuant to
7 subdivision (c) of Section 7076.1.

8 (B) The local jurisdictions comprising the zone submit an
9 updated economic development plan to the department justifying
10 the need for an additional five years by defining goals and
11 objectives that still need to be achieved and indicating what
12 actions are to be taken to achieve these goals and objectives.

13 (e) (1) Notwithstanding any other provision of law, any area
14 designated as an enterprise zone pursuant to Chapter 12.8
15 (commencing with Section 7070) as it read prior to January 1,
16 1997, or as a targeted economic development area, neighborhood
17 economic development area, or program area pursuant to Chapter
18 12.9 (commencing with Section 7080) as it read prior to January
19 1, 1997, or any program area or part of a program area deemed
20 designated as an enterprise zone pursuant to Section 7085.5 as it
21 read prior to January 1, 1997, shall be deemed to be designated
22 as an enterprise zone pursuant to this chapter. The effective date
23 of designation of the enterprise zone shall be that of the original
24 designation of the enterprise zone pursuant to Chapter 12.8
25 (commencing with Section 7070) as it read prior to January 1,
26 1997, or of the program area pursuant to Chapter 12.9
27 (commencing with Section 7080) as it read prior to January 1,
28 1997, and in no event may the total designation period exceed 15
29 years, except as provided in paragraph (2) of subdivision (d).

30 (2) Notwithstanding any other provision of law, any enterprise
31 zone authorized, but not designated, pursuant to Chapter 12.8
32 (commencing with Section 7070) as it read prior to January 1,
33 1997, shall be allowed to complete the application process started
34 pursuant to that chapter, and to receive final designation as an
35 enterprise zone pursuant to this chapter.

36 (3) Notwithstanding any other provision of law, any expansion
37 of a designated enterprise zone or program area authorized
38 pursuant to Chapter 12.8 (commencing with Section 7070) as it
39 read prior to January 1, 1997, or Chapter 12.9 (commencing with
40 Section 7080) as it read prior to January 1, 1997, shall be deemed

1 to be authorized as an expansion for a designated enterprise zone
2 pursuant to this chapter.

3 (4) No part of this chapter may be construed to require a new
4 application for designation by an enterprise zone designated
5 pursuant to Chapter 12.8 (commencing with Section 7070) as it
6 read prior to January 1, 1997, or a targeted economic
7 development area, neighborhood economic development area, or
8 program area designated pursuant to Chapter 12.9 (commencing
9 with Section 7080) as it read prior to January 1, 1997.

10 (f) Notwithstanding any other provision of law, a city, county,
11 or a city and county may designate a joint powers authority to
12 administer the enterprise zone.

13 ~~(g) No more than 42 enterprise zones may be designated at~~
14 ~~any one time pursuant to this chapter, including those deemed~~
15 ~~designated pursuant to subdivision (e). Upon the expiration or~~
16 ~~termination of a designation, the department is authorized to~~
17 ~~designate another enterprise zone to maintain a total of 42~~
18 ~~enterprise zones. This section shall only apply to enterprise zone~~
19 ~~applications for which the department has issued a solicitation~~
20 ~~for new enterprise zone designations prior to January 1, 2007.~~

21 *SEC. 3. Section 7073.1 is added to the Government Code, to*
22 *read:*

23 *7073.1. (a) Except as provided in subdivision (e), any city,*
24 *county, or city and county with an eligible area within its*
25 *jurisdiction may complete a preliminary application for*
26 *designation as an enterprise zone. The applying entity shall*
27 *establish definitive boundaries for the proposed enterprise zone*
28 *and the targeted employment area. An entity may propose zones*
29 *in areas with noncontiguous boundaries, and the department may*
30 *designate those areas as zones if the director determines both of*
31 *the following:*

32 *(1) The noncontiguous area is needed to implement the*
33 *applicant's economic development strategy.*

34 *(2) The excluded area between the proposed zone boundaries*
35 *would not, based on the proposed economic strategy, also benefit*
36 *from the zone designation.*

37 *(b) (1) In designating enterprise zones, the department shall*
38 *select from the applications submitted those proposed enterprise*
39 *zones that, upon a comparison of all of the applications*
40 *submitted, indicate that they propose the most appropriate*

1 *economic development strategy and implementation plan*
2 *utilizing state and local programs and incentives to create jobs,*
3 *attract private sector investment, and improve the economic*
4 *conditions within the zone proposed. The department shall*
5 *prescribe a format that promotes succinct and focused strategies*
6 *and plans, and set minimum standards for the strategies and*
7 *plans. For the purposes of this subdivision, important elements of*
8 *a strategy or plan may include, but are not limited to, all of the*
9 *following:*

10 (A) *An assessment of current financial and community*
11 *development strengths, needs, and opportunities.*

12 (B) *A framework for investment of time, action, and money.*

13 (C) *Clear articulation of goals.*

14 (D) *Measurable objectives, including targets.*

15 (E) *Proposed implementation activities and tasks, including*
16 *timeframes, and a framework for evaluating performance,*
17 *including qualitative and quantitative benchmarks.*

18 (2) *For purposes of this subdivision, local incentives may*
19 *include, but are not limited to, all of the following:*

20 (A) *The suspension or relaxation of locally originated or*
21 *modified building codes, zoning laws, general development*
22 *plans, or rent controls.*

23 (B) *The elimination or reduction of fees for applications,*
24 *permits, and local government services.*

25 (C) *The establishment of a streamlined permit process.*

26 (D) *Elimination or reduction of construction taxes or business*
27 *license taxes.*

28 (E) *The provision or expansion of infrastructure.*

29 (F) *The targeting of federal block grant moneys, including*
30 *small cities, education, and health and welfare block grants.*

31 (G) *The targeting of economic development grants and loan*
32 *moneys, including grant and loan moneys provided by the United*
33 *States Department of Housing and Urban Development.*

34 (H) *The targeting of state and federal job disadvantaged and*
35 *vocational education grant moneys, including moneys provided*
36 *by the federal Workforce Investment Act of 1998 (Public Law*
37 *105-220), or its successor.*

38 (I) *The targeting of federal or state transportation grant*
39 *moneys.*

1 (J) *The targeting of federal or state low-income housing and*
2 *rental assistance moneys.*

3 (K) *The use of tax allocation bonds, special assessment bonds,*
4 *bonds under the Mello-Roos Community Facilities Act of 1982*
5 *(Chapter 2.5 (commencing with Section 53311) of Part 1 of*
6 *Division 2 of Title 5), industrial development bonds, revenue*
7 *bonds, private activity bonds, housing bonds, bonds issued*
8 *pursuant to the Marks-Roos Local Bond Pooling Act of 1985*
9 *(Article 4 (commencing with Section 6584) of Chapter 5),*
10 *certificates of participation, hospital bonds, redevelopment*
11 *bonds, school bonds, and all special provisions provided for*
12 *under federal tax law for enterprise community or empowerment*
13 *zone bonds.*

14 (3) *When designating new enterprise zones, the department*
15 *shall take into consideration the location of existing zones and*
16 *make every effort to locate new zones in a manner that will not*
17 *adversely affect any existing zones.*

18 (4) *When reviewing and ranking new enterprise zone*
19 *applications, the department shall give bonus points to*
20 *applications from jurisdictions that meet minimum threshold*
21 *points and at least two of the following criteria:*

22 (A) *The percentage of households within the census tracts of*
23 *the proposed enterprise zone area, the income of which is below*
24 *the poverty level, is at least 17.5 percent.*

25 (B) *The average unemployment rate for the census tracts of*
26 *the proposed enterprise zone area was not less than five*
27 *percentage points above the statewide average for the most*
28 *recent calendar year as determined by the Employment*
29 *Development Department.*

30 (C) *The applicant jurisdiction has, and can document that it*
31 *has, a unique distress factor affecting long-term economic*
32 *development, including, but not limited to, resource depletion,*
33 *plant closure, industry recession, natural disaster, or military*
34 *base closure.*

35 (5) *Except as modified pursuant to paragraph (4),*
36 *applications shall be ranked by the appropriateness of the*
37 *economic development strategy and implementation plan,*
38 *including all of the following:*

1 (A) *The extent the strategy clearly identifies the local*
2 *resources, incentives, and programs that will be made available*
3 *to the zone for meeting its goals and objectives.*

4 (B) *The extent the strategy provides for attracting private*
5 *sector investment.*

6 (C) *The extent the strategy includes related regional and*
7 *community-based partnerships for achieving the goals and*
8 *objectives in the strategy.*

9 (D) *The extent the strategy fits within the jurisdiction's overall*
10 *economic development strategy, including the extent the strategy*
11 *and implementation plan is appropriate for the local community.*

12 (E) *The extent the strategy addresses the hiring and retention*
13 *of unemployed or underemployed residents or low-income*
14 *individuals in the proposed zone and surrounding areas.*

15 (F) *The extent the strategy sets reasonable and measurable*
16 *benchmarks, goals, and objectives.*

17 (G) *The extent the strategy sets forth an appropriate funding*
18 *schedule for management, oversight, and program delivery*
19 *within the zone relative to the benchmarks, goals, and objectives*
20 *in the strategy.*

21 (H) *The extent that the economic development strategy has a*
22 *comprehensive incentive package for attracting private*
23 *investment to the enterprise zone.*

24 (c) *In evaluating applications for designation, the department*
25 *shall ensure that applications are not disqualified solely because*
26 *of technical deficiencies, and shall provide applicants with an*
27 *opportunity to correct the deficiencies. Applications shall be*
28 *disqualified if the deficiencies are not corrected within two*
29 *weeks.*

30 (d) *Except upon dedesignation pursuant to subdivision (c) of*
31 *Section 7076.1, Section 7076.2, or Section 7085.1, a designation*
32 *made by the department shall be binding for a period of 15 years*
33 *from the date of the original designation.*

34 (e) *This section shall only apply to enterprise zone*
35 *applications for which the department has issued a solicitation*
36 *for new enterprise zone designations on or after January 1, 2007.*

37 SEC. 4. *Section 7073.8 of the Government Code is amended*
38 *to read:*

39 7073.8. (a) *The department shall designate up to two*
40 *Manufacturing Enhancement Areas, ~~as defined by Section~~*

1 ~~17053.47~~ of the Revenue and Taxation Code, requested by the
2 governing boards of cities each of which shall meet at least the
3 following criteria:

4 (1) The unemployment rate in the county in which the
5 applicant is located has been at least three times the state average
6 from 1990 to 1995, inclusive.

7 (2) The applicant city is, or portions of the city are, designated
8 a federal enterprise community or empowerment zone pursuant
9 to Subchapter U (commencing with Section 1391) of Chapter 1
10 of Subtitle A of Title 26 of the United States Code.

11 (3) The applicant city is located in a Border Environment
12 Cooperation Commission region as specified in Section 3473 of
13 Title 19 of the United States Code.

14 (4) At least one of the following:

15 (A) The designated area has grown by less than 5 percent in
16 population per year for each of the two years preceding the
17 application date.

18 (B) The median household income for the designated area is
19 under twenty-five thousand dollars (\$25,000) per year.

20 (C) The designated area has a population of under 20,000
21 persons according to the 1990 federal census.

22 (D) The designated area is located in a rural community.

23 (5) An audit of the program shall be made ~~at the end of the 5th~~
24 ~~and 10th year of its operation~~ pursuant to Section 7076.1 by the
25 department with the cooperation of the local governing board.
26 The audit shall be used to determine how effective the
27 designation has been in attracting manufacturing facilities and
28 creating new employment opportunities. Continuation of the
29 designation is contingent on evidence of success of the program.

30 (b) For purposes of applying any provision of the Revenue and
31 Taxation Code, any Manufacturing Enhancement Area
32 designated pursuant to this section shall not be considered an
33 enterprise zone designated pursuant to this chapter.

34 (c) The designation as a Manufacturing Enhancement Area
35 pursuant to this section shall be binding for a period of 15 years,
36 commencing January 1, 1998.

37 *SEC. 5. Section 7074 of the Government Code is amended to*
38 *read:*

39 7074. (a) In the case of any enterprise zone, including an
40 enterprise zone formerly designated as an enterprise zone

1 pursuant to Chapter 12.8 (commencing with Section 7070) as it
2 read prior to January 1, 1997, or as a program area pursuant to
3 Chapter 12.9 (commencing with Section 7080) as it read prior to
4 January 1, 1997, a city, county, or city and county may propose
5 that the enterprise zone be expanded by 15 percent to include
6 definitive boundaries that are contiguous to the enterprise zone.

7 (b) The department may approve an enterprise zone expansion
8 proposed pursuant to this section based on the following criteria:

9 (1) Each of the adjacent jurisdictions' governing bodies
10 approves the expansion by adoption of an ordinance or
11 resolution.

12 (2) Land included within the proposed expansion is zoned for
13 industrial or commercial use.

14 (3) Basic infrastructure, including, but not limited to, gas,
15 water, electrical service, and sewer systems, is available to the
16 area that would be included in the expansion.

17 (c) ~~An enterprise zone~~ *A city, county, or city and county* may
18 propose to use an eligible expansion allotment to expand into an
19 adjacent jurisdiction pursuant to this section if the department
20 finds that all of the following conditions exist:

21 (1) The governing body of the local agency with jurisdiction
22 over the existing enterprise zone and the governing body of the
23 local agency with jurisdiction over the proposed expansion area
24 each approve the expansion by adoption of an ordinance or
25 resolution. The ordinance or resolution by the jurisdiction
26 containing the proposed expansion area shall indicate that the
27 jurisdiction will provide the same or equivalent local incentives
28 as provided by the jurisdiction of the existing enterprise zone.

29 (2) (A) Land included within the proposed expansion is zoned
30 for industrial or commercial use.

31 (B) An expansion area may contain noncommercial or
32 nonindustrial land only if that land is a right-of-way and is
33 needed to meet the requirement for a contiguous expansion
34 between an existing enterprise zone and a proposed expansion
35 area.

36 (3) Basic infrastructure, including, but not limited to, gas,
37 water, electrical service, and sewer systems, is available to the
38 area that would be included in the expansion.

39 (4) The expansion area is contiguous to the existing enterprise
40 zone.

1 (d) (1) Except as otherwise provided in paragraph (2), in no
2 event shall an enterprise zone be permitted to expand more than
3 15 percent in size from its size on the date of original
4 designation, including any expansion authorized pursuant to
5 Chapter 12.8 (commencing with Section 7070), or Chapter 12.9
6 (commencing with Section 7080), as those chapters read prior to
7 January 1, 1997.

8 (2) If an enterprise zone, on the date of original designation, is
9 no greater than 13 square miles, it may be permitted to expand up
10 to 20 percent in size from its size on the date of original
11 designation.

12 (e) *A city, county, or city and county may propose expansion*
13 *into a noncontiguous area if the department finds both of the*
14 *following:*

15 (1) *The noncontiguous area is needed to implement the*
16 *enterprise zone's economic development strategy.*

17 (2) *The excluded areas between the proposed new boundaries*
18 *would not, based on the enterprise zone's economic development*
19 *strategy, also benefit from enterprise zone designation.*

20 *SEC. 6. Section 7074.2 is added to the Government Code, to*
21 *read:*

22 7074.2. (a) *Notwithstanding any other provision of law, a*
23 *city, county, or a city and county may designate a joint powers*
24 *authority to administer an enterprise zone.*

25 (b) *No more than 42 enterprise zones may be designated at*
26 *any one time pursuant to this chapter, including those deemed*
27 *designated pursuant to subdivision (e) of Section 7073. Upon the*
28 *expiration or termination of a designation, the department may*
29 *designate another enterprise zone to maintain a total of 42*
30 *enterprise zones.*

31 (c) *Notwithstanding any other provision of law, an expiring*
32 *enterprise zone that applies for a new enterprise zone*
33 *designation pursuant to Section 7073 or 7073.1, and receives a*
34 *conditional designation letter from the department, may offer,*
35 *and a taxpayer doing business within the geographic boundaries*
36 *of the new zone referenced in the conditional designation letter*
37 *shall be eligible to receive, all enterprise zone benefits until the*
38 *department makes a final designation or declines to redesignate*
39 *the zone. The department shall make the effective date of the new*

1 zone the date of expiration of the previous designation and the
2 term of the new zone shall begin on that date.

3 SEC. 7. Section 7076.1 of the Government Code is amended
4 to read:

5 7076.1. (a) The department may audit the program of any
6 jurisdiction in any designated ~~zone~~ G-TEDA at any time during
7 the duration of the designation, as appropriate; ~~or. However, the~~
8 ~~department shall audit each G-TEDA at least once every five~~
9 years from the date of designation or the operative date of this
10 section, whichever is the latest. The matters to be examined in
11 the course of an audit shall include an examination of the
12 progress made by the ~~zone~~ G-TEDA toward meeting the goals,
13 objectives, and commitments set forth in its original application
14 and the department's memorandum of understanding with the
15 ~~zone~~ G-TEDA.

16 (b) The department shall, for each audit, determine a result of
17 superior, pass, or fail in accordance with subdivision (c). The
18 results of each audit shall be based upon the success of the ~~zone~~
19 G-TEDA in making substantial and sustained efforts since the
20 later of its designation or last audit to meet the standards, criteria,
21 and conditions contained in the application and the memorandum
22 of understanding (MOU) between the department and the ~~zone~~
23 G-TEDA, as may be amended pursuant to the agreement of the
24 ~~zone~~ G-TEDA and the department. In each audit, the department
25 shall focus upon the ~~zone's~~ G-TEDA's use of the marketing plan,
26 local incentives, financing programs, job development, and
27 program management as described in the application and the
28 MOU. The department shall also evaluate the vouchering plan,
29 ~~zone-staff staffing~~ levels, ~~zone~~ budget, and elements unique to
30 each application.

31 (c) For purposes of subdivision (b), an audit determination of
32 superior, pass, or fail shall be made in accordance with the
33 following:

34 (1) A ~~zone~~ G-TEDA will be determined to be superior if each
35 jurisdiction comprising the ~~zone~~ G-TEDA does all of the
36 following:

37 (A) Meets 100 percent of its goals, objectives, and
38 commitments as defined in its application ~~or, most recent audit,~~
39 ~~annual report, and memorandum of understanding with the~~
40 ~~department,~~ and as determined by the department in consultation

1 with the ~~zone~~ *G-TEDA*. An equivalent or similar commitment
2 may be substituted for an existing commitment of a ~~zone~~
3 *G-TEDA* if it is determined by the department that an original
4 commitment was not realistically practical or is no longer
5 relevant.

6 (B) Demonstrates that it has reviewed and updated its goals,
7 objectives, and commitments as defined in its original application
8 ~~or~~, most recent audit, *annual report, and memorandum of*
9 *understanding with the department.*

10 (C) Identifies to the department's satisfaction that it has
11 incorporated economic development commitments in addition to
12 those commitments previously made in its application.

13 (2) (A) A ~~zone~~ *G-TEDA* will be determined to be passing if
14 each jurisdiction comprising the ~~zone~~ *area* meets or exceeds 75
15 percent of its goals, objectives, or commitments as defined in its
16 original application ~~or~~, *most recent audit, annual report, and*
17 *memorandum of understanding with the department,* and as
18 determined by the department in consultation with the ~~zone~~
19 *G-TEDA*. An equivalent or similar commitment may be
20 substituted for an existing commitment of a ~~zone~~ *G-TEDA* if it is
21 determined by the department that an original commitment was
22 not realistically practical or is no longer relevant.

23 (B) Any ~~zone~~ *G-TEDA* that is determined to be passing may
24 appeal in writing to the department for a determination of
25 superior. Only one appeal may be filed pursuant to this
26 subparagraph with respect to a determination by the department,
27 and may be filed no later than 30 days after the ~~zone's~~ *G-TEDA's*
28 receipt of the determination to which the appeal pertains. The
29 department shall respond in writing to any appeal that is properly
30 filed pursuant to this subparagraph within 60 days of the date of
31 that filing.

32 (3) (A) A ~~zone~~ *G-TEDA* will be determined to be failing if
33 any jurisdiction comprising the ~~zone~~ *G-TEDA* fails to meet or
34 exceed 75 percent of its goals, objectives, or commitments as
35 defined in its original application ~~or~~, *most recent audit, annual*
36 *report, and memorandum of understanding with the department,*
37 and as determined by the department in consultation with the
38 ~~zone~~ *G-TEDA*. An equivalent or similar commitment may be
39 substituted for an existing commitment of a ~~zone~~ *G-TEDA* if it is

1 determined by the department that an original commitment was
2 not realistically practical or is no longer relevant.

3 (B) Any ~~zone~~ *G-TEDA* that is determined to be failing shall
4 enter into a written agreement with the department that specifies
5 those items that the ~~zone~~ *G-TEDA* is required to remedy or
6 improve. Failure of the ~~zone~~ *G-TEDA* and the department to
7 negotiate and enter into a written agreement as so described
8 within 60 days of the last day upon which the department is
9 required to deliver a response letter pursuant to subparagraph (C)
10 shall result in the dedesignation of the ~~zone~~ *G-TEDA* on January
11 1 immediately following the department's written notice of
12 dedesignation to the ~~zone~~ *G-TEDA*. A written agreement entered
13 into pursuant to this subparagraph shall be for a six-month
14 period. If, upon the expiration of the agreement, the department
15 determines that the ~~zone~~ *G-TEDA* has not met or implemented at
16 least 75 percent of the conditions set forth in the agreement, the
17 department shall, after immediately providing written notification
18 to each jurisdiction comprising the ~~zone~~ *G-TEDA* that the ~~zone~~
19 *G-TEDA* is to be dedesignated, dedesignate the ~~zone~~ *G-TEDA*
20 effective on the first day of the month next following the date
21 upon which the agreement expired. If, upon expiration of the
22 agreement, the department determines that the ~~zone~~ *G-TEDA* has
23 met or implemented at least 75 percent of the conditions set forth
24 in the agreement, the department shall do either of the following:

25 (i) Allow the ~~zone~~ *G-TEDA* an additional year, or a longer
26 period in the department's discretion, to meet or implement those
27 conditions in their entirety.

28 (ii) Pursuant to written notice provided immediately to each
29 jurisdiction that comprises the ~~zone~~ *G-TEDA* that the ~~zone~~
30 *G-TEDA* is to be dedesignated, dedesignate the ~~zone~~ *G-TEDA*
31 effective on January 1 immediately following the date of the
32 department's written notification of dedesignation to those
33 jurisdictions.

34 Any business, located within any jurisdiction that comprises a
35 ~~zone~~ *G-TEDA* that has been dedesignated, that has elected to
36 avail itself of any state tax incentive specifically applicable to a
37 ~~zone~~ *G-TEDA* for any taxable or income year beginning prior to
38 the dedesignation of the ~~zone~~ *G-TEDA* may, to the extent the
39 business is otherwise still eligible for those incentives, continue
40 to avail itself of those incentives for a period equal to the

1 remaining life of the ~~zone~~ *G-TEDA*. However, any business,
2 located within any jurisdiction that comprises a ~~zone~~ *G-TEDA*
3 that has been dedesignated, that has not availed itself of any state
4 tax incentive in the manner described in the preceding sentence
5 may not, after dedesignation of the ~~zone~~ *G-TEDA*, avail itself of
6 any state incentive specifically applicable to a ~~zone~~ *G-TEDA*.

7 *(4) (A) Notwithstanding paragraphs (1) to (3), inclusive, a*
8 *G-TEDA shall be determined to be failing if any jurisdiction*
9 *comprising the G-TEDA, in the determination of the director,*
10 *provides funding support in at least three of the previous five*
11 *years at a level that is less than 75 percent of the amount*
12 *committed to in the G-TEDA's memorandum of understanding*
13 *with the department.*

14 *(B) In the event that a G-TEDA is determined to be failing*
15 *pursuant to this paragraph, subparagraph (B) of paragraph (3)*
16 *shall apply.*

17 *(C) Any G-TEDA that is determined to be failing pursuant to*
18 *this paragraph may appeal in writing to the department. The*
19 *appeal shall be filed within 30 days of the G-TEDA's receipt of*
20 *the determination to which the appeal pertains. The department*
21 *shall respond in writing to any appeal that is properly filed*
22 *within 60 days of the date of filing.*

23 *(d) (1) For purposes of this section, "dedesignation" means*
24 *that a ~~zone~~ G-TEDA is no longer a ~~zone~~ G-TEDA for purposes of*
25 *either Section 7073 or 7085.*

26 *(2) Upon notification by the department of the dedesignation*
27 *of a ~~zone~~ G-TEDA and the end of the appeal period with respect*
28 *to that dedesignation, the department shall initiate an application*
29 *process for a new designation as provided in Section 7073,*
30 *7073.8, 7085, 7097, or 7114.*

31 *SEC. 8. Section 7082.2 is added to the Government Code, to*
32 *read:*

33 *7082.2. In the case of a G-TEDA being dedesignated*
34 *pursuant to Section 7085.1, any business located within any*
35 *jurisdiction that comprises a G-TEDA that has been*
36 *dedesignated or within a jurisdiction that has excluded itself*
37 *from a G-TEDA, that has elected to avail itself of any state tax*
38 *incentive specifically applicable to a G-TEDA for any taxable or*
39 *income year beginning prior to the dedesignation of the G-TEDA*
40 *or the exclusion of a jurisdiction comprising the G-TEDA may, to*

1 *the extent the business is still otherwise eligible for those*
2 *incentives, continue to avail itself of those incentives for a period*
3 *equal to the remaining life of the G-TEDA. However, any*
4 *business located within any jurisdiction that comprises a*
5 *G-TEDA that has been dedesignated or within a jurisdiction that*
6 *has excluded itself from a G-TEDA, that has not availed itself of*
7 *any state tax incentive in the manner described in the preceding*
8 *sentence may not, after dedesignation of the G-TEDA, avail itself*
9 *of any state incentive specifically applicable to a G-TEDA.*

10 *SEC. 9 Section 7085.1 is added to the Government Code, to*
11 *read:*

12 *7085.1. (a) The governing board of the G-TEDA shall report*
13 *to the department by October 1 of every other year on the*
14 *activities of the G-TEDA in the previous two fiscal years and its*
15 *plans for the current and following fiscal year. The biennial*
16 *report shall include at least both of the following:*

17 *(1) The progress the G-TEDA has made during the period*
18 *covered by the report relative to its goals, objectives, and*
19 *commitments set forth in its original application and the*
20 *department's memorandum of understanding with the G-TEDA.*

21 *(2) Identification of the previous two year's funding, including*
22 *in-kind funding. The previous two year's funding levels shall be*
23 *compared to the funding levels identified in its original*
24 *application and the department's memorandum of understanding*
25 *with the G-TEDA, and the amount identified in the previous*
26 *biennial report. An explanation of any meaningful discrepancies*
27 *in these amounts shall be provided.*

28 *(b) A copy of the biennial report developed pursuant to*
29 *subdivision (a) shall also be submitted to the legislative bodies of*
30 *the local jurisdictions comprising the G-TEDA. The progress of*
31 *the G-TEDA in meeting the goals, objectives, and commitments*
32 *set forth in the original application and the memorandum of*
33 *understanding with the department shall be reviewed at least*
34 *biennially by these legislative bodies, either as part of the*
35 *approval of the G-TEDA's annual work plan or separately, at the*
36 *discretion of the legislative body.*

37 *(c) (1) G-TEDAs designated prior to January 1, 2007, shall*
38 *have until April 15, 2008, to update their benchmarks, goals,*
39 *objectives, and funding levels for administering the G-TEDA*
40 *program, in order to make them measurable and conducive to the*

1 *successful completion of the economic development strategy. The*
2 *local legislative body and the department shall approve the*
3 *updated goals and objectives. The updated goals and objectives*
4 *shall be included as an update to the existing memorandum of*
5 *understanding between the G-TEDA and the department.*

6 (2) *G-TEDAs that fail to obtain approved updated goals and*
7 *objectives by April 15, 2008, shall be dedesignated effective July*
8 *1, 2008. The Director of Housing and Community Development*
9 *shall provide notice of prospective dedesignation to the local*
10 *government no later than May 1, 2008. The director may*
11 *authorize up to two 60-calendar day extensions, if the local*
12 *government and G-TEDA are acting in good faith and the*
13 *additional time would allow them to meet the requirements of*
14 *this subdivision. Businesses located within a G-TEDA that have*
15 *been dedesignated shall continue to have access to tax incentives*
16 *previously authorized within the G-TEDA pursuant to Section*
17 *7082.2.*

18 (3) *G-TEDAs designated prior to January 1, 2007, are not*
19 *required to implement the annual reporting requirements of*
20 *subdivisions (a) and (b) until October 1, 2009.*

21 (4) *G-TEDAs that expire prior to January 1, 2010, are not*
22 *required to meet the conditions of this subdivision.*

23 (d) *The department shall annually make available to the*
24 *Legislature information related to the progress that each*
25 *G-TEDA is making toward implementing its goals, objectives,*
26 *and commitments set forth in the original application, the*
27 *department's memorandum of understating with the G-TEDA,*
28 *and the annual report.*

29 *SEC. 10. Section 7097 of the Government Code is amended to*
30 *read:*

31 7097. (a) *The Department of Housing and Community*
32 *Development shall rank applicant communities and shall*
33 *designate the first ranking community whose governing body is*
34 *applying as a community to be designated as a targeted tax area*
35 *which meets at least four of the five following criteria:*

36 (1) *The average unemployment rate in the applicant*
37 *community exceeded 7.5 percent in 1995.*

38 (2) *The average unemployment rate in the applicant*
39 *community exceeded 7.5 percent in 1996.*

1 (3) The median family income in the applicant community
2 does not exceed thirty-two thousand seven hundred dollars
3 (\$32,700).

4 (4) The percentage of persons in the applicant community
5 below the poverty level is at least 17.5 percent.

6 (5) The applicant community ranks in the top quartile, among
7 California counties, in the percentage of population receiving Aid
8 for Families with Dependent Children benefits, based on the
9 Cash Grant Caseload Movement and Expenditures Report, July
10 1995 to June 1996.

11 (b) For purposes of applying any provision of the Revenue and
12 Taxation Code, any targeted tax area designated pursuant to this
13 section shall not be considered an enterprise zone designated
14 pursuant to Chapter 12.8 (commencing with Section 7070).

15 (c) Except as provided in subdivision (e), the designation as a
16 targeted tax area pursuant to this section shall be binding for a
17 period of 15 years, commencing January 1, 1998.

18 (d) Only one targeted tax area shall be designated by the
19 department, and a renewed or replacement designation shall not
20 be made after the initial designation expires or is revoked.

21 (e) An audit of the program's operation shall be made by the
22 department *pursuant to Section 7076.1*, on a periodic basis with
23 the cooperation of the local governing board. If the department
24 determines that the local jurisdiction is not complying with the
25 terms of the memorandum of understanding, the department shall
26 provide written notice of the program deficiencies and the
27 governing body shall be given six months to correct the
28 deficiencies. If the deficiencies are not corrected, the designation
29 shall be revoked.

30 (f) A county and any cities within the county may apply
31 jointly as a community if the combination of the jurisdictions
32 meets the criteria.

33 *SEC. 11. Section 7099 of the Government Code is amended to*
34 *read:*

35 7099. (a) The Department of Housing and Community
36 Development may approve a proposed expansion of a targeted
37 tax area subject to the following conditions:

38 (1) The governing body of each city and county in which the
39 targeted tax area is located approves an ordinance or resolution
40 approving the proposed expansion of the area.

1 (2) The department determines that the proposed additional
2 territory meets the criteria specified in subdivision (a) of Section
3 7097 to the same extent as the existing territory of the targeted
4 tax area.

5 (3) The proposed expansion, in combination with any previous
6 expansions of the targeted tax area, does not exceed 15 percent of
7 the size of the area on the date of its original designation.

8 (4) The expansion area is contiguous to the targeted tax area,
9 *except that it may be noncontiguous to the extent that it meets the*
10 *criteria established in subdivision (e) of Section 7074.*

11 (5) The expansion meets the criteria established in paragraphs
12 (1), (2), and (3) of subdivision (b) of Section 7074.

13 (b) The department shall respond in writing to any application
14 for a proposed expansion of the targeted tax area within 90 days
15 of the date on which the application is deemed complete.

16 *SEC. 12. Section 7116 of the Government Code is amended to*
17 *read:*

18 7116. (a) A local agency military base recovery area
19 governing body shall provide information at the request of the
20 department as necessary for the department to prepare the report
21 required pursuant to Section 7115.

22 (b) A local agency military base recovery area governing body
23 shall provide information at the request of the department as
24 necessary for the department to determine whether the governing
25 body is complying with the terms of the approved application.

26 (c) If the department determines that a local agency military
27 base recovery area governing body is not complying with the
28 terms of the approved application for designation, the department
29 shall provide written notice of the program deficiencies and the
30 governing body shall be given six months to correct the
31 deficiencies.

32 (d) The department shall revoke the designation of a local
33 agency military base recovery area if the department determines
34 that the governing body granted the designation has not complied
35 with the terms of the approved application for designation within
36 six months after written notice pursuant to subdivision (c), and
37 shall not be considered a local agency military base recovery area
38 until the deficiencies are corrected.

39 (e) Any companies located in the local agency military base
40 recovery area shall not be penalized during any period of

1 revocation and may continue to operate with incentives provided
 2 pursuant to this chapter.

3 (f) *An audit of the program shall be made by the department*
 4 *pursuant to Section 7076.1 with the cooperation of the governing*
 5 *body to determine the effectiveness of the program under this*
 6 *chapter.*

7 *SEC. 13. This act is an urgency statute necessary for the*
 8 *immediate preservation of the public peace, health, or safety*
 9 *within the meaning of Article IV of the Constitution and shall go*
 10 *into immediate effect. The facts constituting the necessity are:*

11 *In order to implement at the earliest possible time the*
 12 *improvements to the economic development programs set forth in*
 13 *act, which were developed pursuant to extensive legislative*
 14 *oversight hearings, it is necessary for this act to take effect*
 15 *immediately.*

16 ~~SECTION 1. Section 2118 of the Fish and Game Code is~~
 17 ~~repealed.~~

18 ~~SEC. 2. Section 2118 is added to the Fish and Game Code, to~~
 19 ~~read:~~

20 ~~2118. It is unlawful to import, transport, possess, or release~~
 21 ~~alive into this state, except under a revocable, nontransferable~~
 22 ~~permit as provided in this chapter and the regulations pertaining~~
 23 ~~thereto, any wild animal of the following species:~~

- 24
- 25 ~~—(a) Class Aves (birds)~~
 - 26 ~~— Family Alaudidae (larks)~~
 - 27 ~~— Alauda arvensis (skylark)~~
 - 28 ~~— Family Cuculidae (cuckoos)~~
 - 29 ~~— All species~~
 - 30 ~~— Family Corvidae (crows, ravens, rooks, jackdaws)~~
 - 31 ~~— All species~~
 - 32 ~~— Family Turdidae (thrushes, blackbirds, fieldfare)~~
 - 33 ~~— The following species:~~
 - 34 ~~— Turdus merula (European blackbird)~~
 - 35 ~~— Turdus viscivorus (missel thrush)~~
 - 36 ~~— Turdus pilaris (fieldfare)~~
 - 37 ~~— Turdus musicus (song thrush)~~
 - 38 ~~— Family Sturnidae (starlings, mynahs)~~

- 1 — All species, except *Sturnus vulgaris* (starling), *gracula*
- 2 — *religiosa* or *Eulabes religiosa* (hill mynahs), and *Leucopsar*
- 3 *rothschildi* (Rothschild's mynah)
- 4 — Family *Ploceidae* (sparrows, weavers, queleas)
- 5 — Genus *Passer* (sparrow)
- 6 — All species, except *Passer domesticus* (English house
- 7 — sparrow)
- 8 — *Foudia madagascariensis* (Madagascar weaver)
- 9 — *Ploceus baya* (baya weaver)
- 10 — Genus *Quelea* (queleas)
- 11 — All species
- 12 — Family *Estrildidae* (waxbills, munias, ricebirds)
- 13 — *Padda oryzivora* (Java sparrow)
- 14 — Family *Emberididae* (yellowhammer)
- 15 — *Emberiza citrinella* (yellowhammer)
- 16 — Order *Falconiformes* (falcons, eagles, hawks, vultures)
- 17 — Vultures, all species
- 18 — Falcons, eagles, hawks
- 19 — Order *Strigiformes* (owls)
- 20 — All species
- 21 — Family *Pycnonotidae* (bulbuls or fruit thrushes)
- 22 — *Pycnonotus jocosus* (red-whiskered bulbul)
- 23 — Family *Zosteropidae* (whiteeyes)
- 24 — Genus *Zosterops* (whiteeyes), all species
- 25 — Family *Psittacidae* (parrots, parakeets)
- 26 — *Myiopsitta monachus* (monk or quaker parakeet)
- 27 (b) Class *Mammalia* (mammals)
- 28 — Order *Primata* (monkeys, apes)
- 29 — All species, except Family *Hominidae*
- 30 — Order *Edendata* (sloths, anteaters, armadillos)
- 31 — All species
- 32 — Family *Dasypodidae* (armadillos)
- 33 — All species
- 34 — Family *Bradypodidae* (sloths)
- 35 — Family *Myrmecophagidae* (anteaters)
- 36 — Order *Marsupialia* (marsupials or pouched animals)
- 37 — All species
- 38 — Order *Insectivora* (shrews, moles, hedgehogs)
- 39 — All species
- 40 — Order *Dermoptera* (gliding lemurs)

- 1 — All species
- 2 — Order Chiroptera (bats)
- 3 — All species
- 4 — Order Monotremata (spiny anteaters, platypuses)
- 5 — All species
- 6 — Order Pholidota (pangolins or scaly anteaters)
- 7 — All species
- 8 — Order Lagomorpha (pikas, rabbits, hares)
- 9 — All species, except domesticated varieties of rabbits and
- 10 — hares of the Family Leporidae
- 11 — Order Rodentia (hamsters, field mice, voles, muskrats,
- 12 — gerbils, squirrels, chipmunks, woodchucks, prairie dogs)
- 13 — All species, except:
- 14 — *Ondatra zibethica* (muskrats), under conditions set
- 15 — forth in Section 2250
- 16 — Domesticated races of golden hamsters of the species
- 17 — *Mesocricetus auratus* and domesticated races of
- 18 — dwarf hamsters of the Genus *Phodopus*
- 19 — Domesticated races of rats or mice (white or albino;
- 20 — trained, dancing or spinning, laboratory-reared)
- 21 — Domesticated races of guinea pigs of the species
- 22 — *Cavia porcellus*
- 23 — Domesticated races of chinchillas of the species
- 24 *Chinchilla laniger*
- 25 — Order Carnivora (raccoons, ringtailed cats, kinkajous, coatis,
- 26 — cacomistles, weasels, ferrets, skunks, polecats, stoats,
- 27 — mongoose, civets, wolves, foxes coyotes, lions, tigers,
- 28 — tigers, ocelots, bobcats, servals, leopards, jaguars,
- 29 — cheetahs, bears)
- 30 — Family Felidae
- 31 — All species, except:
- 32 — *Acinonyx jubatus* (cheetahs)
- 33 — Domestic cats and hybrids of domestic cats
- 34 — Family Canidae
- 35 — All species
- 36 — Wolf hybrids *Canis familiaris* (domestic dog) x *Canis* — *lupus*
- 37 (wolf). Any F1 (first) generation wolf — hybrid whelped on or
- 38 before February 4, 1988, — may be possessed under permit from
- 39 the department. — No state permit is required to possess the

- 1 progeny of F1 generation wolf hybrids, but cities and
- 2 counties may prohibit possession or require a permit.
- 3 Domesticated dogs are not restricted.
- 4 Family Viverridae
- 5 All species
- 6 Family Procyonidae
- 7 All species, except:
- 8 Ailuris fulgens (lesser panda)
- 9 Ailuropoda melanoleuca (giant panda)
- 10 Bassariscus astutus (ringtail or ringtailed cat)
- 11 Jentinkia sumichrasti (Mexican and Central American
- 12 eacomistle)
- 13 Family Mustelidae
- 14 All species, except:
- 15 Amblonyx cinerea (Oriental small-clawed otter)
- 16 Aonyx capensis (African clawless otter)
- 17 Pteronura brasiliensis (giant otter)
- 18 All species of Genus Lutra (river otters)
- 19 All others
- 20 Order Tubulidentata (aardvarks)
- 21 All species
- 22 Order Proboscidae (elephants)
- 23 All species
- 24 Order Hyracoidea (hyraxes)
- 25 All species
- 26 Order Sirenia (dugongs, manatees)
- 27 All species
- 28 Order Perissodactyla (horses, zebras, tapirs, rhinoceroses, etc.)
- 29 All species, except Family Equidae
- 30 Order Artiodactyla (swine, peccaries, camels, deer, elk,
- 31 moose, antelopes, cattle, goats, sheep, etc.)
- 32 All species, except:
- 33 Bos taurus and Bos indicus (domestic cattle)
- 34 Bos grunniens (yak)
- 35 Bubalus bulalis (asian water buffalo)
- 36 Ovis aries (domestic sheep)
- 37 Capra hircus (domestic goat)
- 38 Sus scrofa domestica (domestic swine)
- 39 Llama glama (llama)
- 40 Llama pacos (alpaca)

- 1 — ~~Llama guanicoe (guanaco)~~
 2 — ~~Hybrids of llama, alpaca and guanacos~~
 3 — ~~Camelus bactrianus and Camelus dromedarius (camels)~~
 4 — ~~Bison bison (American bison)~~
 5 — ~~Permits may be issued for species of Elk (Genus~~
 6 ~~Cervus) which are already maintained within California~~
 7 — ~~Permits may be issued pursuant to Section 676 of Title~~
 8 ~~14 of the California Code of Regulations, for importing,~~
 9 ~~breeding, slaughter and sale of the meat and other parts of~~
 10 — ~~fallow deer (Dama dama) for commercial purposes.~~
 11 (e) ~~Class Amphibia (frogs, toads, salamanders)~~
 12 — ~~Family Bufonidae (toads)~~
 13 — ~~Bufo marinus~~
 14 — ~~Bufo paracnemis~~
 15 — ~~Bufo horribilis (giant toad or marine toad group) and all~~
 16 — ~~other large toads from Mexico and Central and South~~
 17 — ~~America~~
 18 — ~~Family Pipidae (tongueless toads)~~
 19 — ~~All species of the Genus Xenopus~~
 20 — ~~Family Ambystomatidae (mole salamanders)~~
 21 — ~~All species of the genus Ambystoma (tiger salamanders)~~
 22 (d) ~~Class Agnatha (jawless fish)~~
 23 — ~~Family Petromyzontidae (lampreys)~~
 24 — ~~All nonnative species~~
 25 (e) ~~Class Osteichthyes (bony fish)~~
 26 — ~~Family Percichthyidae (temperate bass)~~
 27 — ~~Morone americana (white perch)~~
 28 — ~~Morone chrysops (white bass)~~
 29 — ~~Family Clupeidae (herrings)~~
 30 — ~~Dorosoma cepedianum (gizzard shad)~~
 31 — ~~Family Sciaenidae (drums)~~
 32 — ~~Aplodinotus grunniens (freshwater drum)~~
 33 — ~~Family Characidae (characins)~~
 34 — ~~Astyanax fasciatus (banded tetra)~~
 35 — ~~All species of the genera Serrasalmus, Serrasalmo,~~
 36 — ~~Pygocentrus, Taddycella, Rooseveltiella, and~~
 37 — ~~Pygopristis (piranhas) Hoplias malabaricus (tiger~~
 38 ~~fish)~~
 39 — ~~Family Salmonidae (trouts)~~

- 1 — ~~Salmo salar (Atlantic salmon)—Restricted in the Smith~~
- 2 — ~~River watershed~~
- 3 — ~~Family Lepisosteidae (gars)~~
- 4 — ~~All species~~
- 5 — ~~Family Amiidae (bowfins)~~
- 6 — ~~All species~~
- 7 — ~~Family Poeciliidae (livebearers)~~
- 8 — ~~Belonesox belizanus (pike killifish)~~
- 9 — ~~Family Channidae (snakeheads)~~
- 10 — ~~All species~~
- 11 — ~~Family Cyprinidae (carps and minnows)~~
- 12 — ~~Leuciscus idus (ide)~~
- 13 — ~~Ctenopharyngodon idellus (grass carp), except that~~
- 14 — ~~permits may be issued to a person, organization, or~~
- 15 — ~~agency for possession of triploid grass carp, under~~
- 16 ~~conditions set forth in regulation.~~
- 17 — ~~Hypophthalmichthys molitrix (silver carp)~~
- 18 — ~~Aristichthys nobilis (bighead carp)~~
- 19 — ~~Family Trichomycteridae (Pygidiidae) (parasitic catfish)~~
- 20 — ~~All species~~
- 21 — ~~Family Cetopsidae (whalelike catfish)~~
- 22 — ~~All species~~
- 23 — ~~Family Clariidae (labyrinth catfish)~~
- 24 — ~~All species of the genera Clarias, Dinotopterus, and~~
- 25 — ~~Heterobranchus~~
- 26 ~~Family Heteropneustidae (Saccobranchidae) (airsac catfish)~~
- 27 — ~~All species~~
- 28 — ~~Family Cichlidae (cichlids)~~
- 29 — ~~Tilapia sparrmani (banded tilapia)~~
- 30 — ~~Tilapia zilli (redbelly tilapia), except permits may be~~
- 31 ~~issued to a person or agency for importation,~~
- 32 — ~~transportation, or possession in the Counties of~~
- 33 ~~San Bernardino, Los Angeles, Orange, Riverside, San~~
- 34 ~~Diego, and Imperial.~~
- 35 — ~~Tilapia aurea (blue tilapia)~~
- 36 — ~~Tilapia nilotica (Nile tilapia)~~
- 37 — ~~Family Anguillidae (freshwater eels)~~
- 38 — ~~All species of genus Anguilla~~
- 39 — ~~Family Esocidae (pikes)~~
- 40 — ~~All species~~

- 1 — Family Percidae (perches)
- 2 — *Perca flavescens* (yellow perch)
- 3 — *Stizostedion vitreum* (walleye)
- 4 — Family Catostomidae (suckers)
- 5 — All members of the genus *Ictiobus* (buffalos)
- 6 — Family Cyprinodontidae (killifish)
- 7 — *Cyprinodon variegatus* (sheepshead minnow)
- 8 (f) Class Elasmobranchiomorpha (cartilaginous fish)
- 9 — Family Carcharhinidae (requiem sharks)
- 10 — All species of genus *Carcharhinus* (freshwater sharks)
- 11 — Family Potamotrygonidae (river stingrays)
- 12 — All species
- 13 (g) Class Reptilia (reptiles)
- 14 — Order Crocodylia (Crocodyles, caimans, alligators and
- 15 — gavials)
- 16 — All species
- 17 — Family Chelyridae (snapping turtles)
- 18 — All species
- 19 — Family Elapidae (cobras, coral snakes, mambas, kraits, etc.)
- 20 — All species
- 21 — Family Viperidae (adders and vipers)
- 22 — All species
- 23 — Family Crotalidae (pit vipers)
- 24 — All species, except:
- 25 — *Crotalus viridis* (western rattlesnake)
- 26 — *Crotalus atrox* (western diamondback rattlesnake)
- 27 — *Crotalus ruber* (red diamondback rattlesnake)
- 28 — *Crotalus scutulatus* (Mojave rattlesnake)
- 29 — *Crotalus mitchelli* (speckled rattlesnake)
- 30 — *Crotalus cerastes* (Sidewinder)
- 31 — Family Colubridae (colubrids)
- 32 — *Dispholidus typus* (Boomsnake)
- 33 — *Theoltornis kitlandii* (bird or vine snake)
- 34 — Family Helodermatidae
- 35 — *Heloderma suspectum* (suspectum) (reticulate Gila
- 36 — monster)
- 37 (h) Class Crustacea (crustaceans)
- 38 — All species of Family Cambaridae (crayfish, etc.) except:
- 39 — *Procambarus clarkia*
- 40 — *Oreonectes virilis*

- 1 — All species of genus *Eriocheir*
- 2 (i) Class Gastropoda (slugs, snails)
- 3 — *Potamopyrgus antipodarum* (New Zealand mudsnail)
- 4 — All nonnative species of slugs and land snails, except:
- 5 — *Rumina decollata* (decollate snail) in the Counties of
- 6 — San Bernardino, Riverside, Imperial, Orange, San
- 7 Diego, Los Angeles, Ventura, Kern, Fresno, Madera,
- 8 Tulare, and Santa Barbara not restricted with the
- 9 conurrence of the appropriate county agricultural
- 10 commissioners.
- 11 — *Helix aspersa* (brown garden snail)
- 12 (j) Class Bivalvia (bivalves)
- 13 — All members of the genus *Dreissena* (zebra mussels)
- 14 (k) Transgenic aquatic animals
- 15 — Includes freshwater and marine fishes, invertebrates,
- 16 — crustaceans, mollusks, amphibians, and reptiles
- 17
- 18
- 19 (l) Other classes, orders, families, genera, and species of wild
- 20 animals which may be designated by the commission in
- 21 cooperation with the Department of Food and Agriculture when
- 22 the class, order, family, genus, or species is proven to be
- 23 undesirable and a menace to native wildlife or to provide for the
- 24 welfare of wild animals.
- 25 (m) Except as expressly authorized in this code, any live
- 26 nonindigenous Atlantic salmon or the roe thereof into the Smith
- 27 River watershed.
- 28 (n) Classes, families, genera, and species in addition to those
- 29 listed in this section may be added to or deleted from the above
- 30 lists from time to time by commission regulations in cooperation
- 31 with the Department of Food and Agriculture.

O