

Assembly Bill No. 347

CHAPTER 744

An act to amend Section 7145 of the Fish and Game Code, relating to sportfishing.

[Approved by Governor October 9, 1995. Filed
with Secretary of State October 10, 1995.]

LEGISLATIVE COUNSEL'S DIGEST

AB 347, Woods. Sportfishing: licenses.

With specified exceptions, existing law requires every person over 16 years of age who takes any fish, reptile, or amphibian for any purpose other than profit to have a license in his or her possession when engaged in fishing.

This bill would exempt from that licensing requirement the taking of fish by an owner of real property, or the owner's invitee, from a lake or pond that is wholly enclosed by that owner's property and that is located offstream and not hydrologically connected to any permanent or intermittent waterway of the state. The bill would provide that it does not affect the introduction, migration, stocking, or transfer of nonnative or exotic species into state waters or waterways or laws governing aquaculture.

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

SECTION 1. Section 7145 of the Fish and Game Code is amended to read:

7145. (a) Except as otherwise provided in this article, every person over the age of 16 years who takes any fish, reptile, or amphibia for any purpose other than profit shall first obtain a license for that purpose and shall have that license on his or her person or in his or her immediate possession or where otherwise specifically required by law to be kept when engaged in carrying out any activity authorized by the license. In the case of a person diving from a boat, the license may be kept in the boat, or in the case of a person diving from the shore, the license may be kept within 500 yards on the shore.

(b) This section does not apply to an owner of real property, or the owner's invitee, who takes fish for purposes other than profit from a lake or pond that is wholly enclosed by that owner's real property and that is located offstream and not hydrologically connected to any permanent or intermittent waterway of the state.

This subdivision does not, and shall not be construed to, authorize the introduction, migration, stocking, or transfer of aquatic species, prohibited species, or any other nonnative or exotic species into state



waters or waterways. This subdivision does not supersede or otherwise affect any provision of law that governs aquaculture, including, but not limited to, the operation of trout farms, the operation of other enterprises for profit, or any activity that is an adjunct to or a feature of, or that is operated in conjunction with, any other enterprise operated for profit, including private parks or recreation areas.

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