

ASSEMBLY BILL

No. 1762

Introduced by Assembly Member Steinorth

January 4, 2018

An act to amend Section 5008.1 of the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 1762, as introduced, Steinorth. State parks: visitors: animals.

Under existing law, the Department of Parks and Recreation administers and manages the state park system. Existing law permits visitors to bring animals into units of the state park system when the Director of Parks and Recreation determines that it is in the public interest. Existing law prohibits an animal brought into a state park system unit from being allowed to pose a threat to public safety and welfare, create a public nuisance, or pose a threat to the natural or cultural resources of the unit or to the improvements at the unit.

This bill would permit visitors to bring animals into units of the state park system or recreational areas of those units, including hiking trails, unless limiting access to a unit or recreational area is the only means of preventing those animals from engaging in behavior that is likely to pose a substantial threat to public safety and welfare, create a substantial public nuisance, or pose a substantial threat to the natural or cultural resources of the unit or to the improvements at the unit. The bill would require the department to rely on fines, fee authority, rules, and regulations, whenever available, to prevent these harms in lieu of limiting access pursuant to these provisions.

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

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

1 SECTION 1. Section 5008.1 of the Public Resources Code is
2 amended to read:

3 5008.1. (a) ~~When it is determined by the director to be in the~~
4 ~~public interest, and subject to the fees, rules, and regulations of~~
5 ~~the department, visitors~~ *Visitors* to units of the state park system
6 may bring animals into those ~~units~~.

7 ~~(b) Any animal brought into a state park system unit pursuant~~
8 ~~to subdivision (a) shall be under the immediate control of the visitor~~
9 ~~or shall be confined, and under no circumstance shall the animal~~
10 ~~be permitted to units and into recreational areas of those units,~~
11 ~~including hiking trails, unless limiting access to a unit or~~
12 ~~recreational area is the only means of preventing those animals~~
13 ~~from engaging in behavior that is likely to do any of the following:~~

- 14 (1) Pose a *substantial* threat to public safety and welfare.
- 15 (2) Create a *substantial* public nuisance.
- 16 (3) Pose a *substantial* threat to the natural or cultural resources
17 of the unit or to the improvements at the unit.

18 ~~(b) Any animal brought into a state park system unit pursuant~~
19 ~~to subdivision (a) shall be under the immediate control of the~~
20 ~~visitor or shall be confined.~~

21 ~~(c) The department shall rely on fines, fee authority, rules, and~~
22 ~~regulations, whenever available, to prevent the harms specified~~
23 ~~in subdivision (a) in lieu of limiting access pursuant to that~~
24 ~~subdivision.~~

25 ~~(e)~~

26 ~~(d) The department may require a person bringing an animal~~
27 ~~into a state park system unit pursuant to subdivision (a) to provide~~
28 ~~proof of appropriate immunizations and valid licenses.~~

29 ~~(d)~~

30 ~~(e) This section does not apply to dogs used to lawfully pursue~~
31 ~~game in season at units of the state park system where hunting is~~
32 ~~allowed.~~