

Introduced by Senator Machado

February 21, 2008

An act to repeal and add Section 2118 of the Fish and Game Code, relating to wild animals.

LEGISLATIVE COUNSEL'S DIGEST

SB 1424, as introduced, Machado. Wild animals: permits.

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 wild animals from that list.

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 2118 of the Fish and Game Code is
2 repealed.

3 2118. ~~It is unlawful to import, transport, possess, or release~~
4 ~~alive into this state, except under a revocable, nontransferable~~
5 ~~permit as provided in this chapter and the regulations pertaining~~
6 ~~thereto, any wild animal of the following species:~~

- 7
- 8 ~~(a) Class Aves: (birds)~~
- 9 ~~- Family Cuckulidae (cuckoos)~~

- 1 - —All Species.
- 2 - —Family Alaudidae (larks)
- 3 - —Skylark, *Alauda arvensis*
- 4 - —Family Corvidae (crows, jays, magpies)
- 5 - —All species.
- 6 - —Family Turdidae (thrushes)
- 7 - —European blackbird, *Turdus merula*
- 8 - —Missel (or mistle), thrush, *Turdus viscivorus*
- 9 - —Family Sturnidae (starlings and mynas or mynahs)
- 10 - —All species of the family, except hill myna (or
- 11 - —hill mynah),
- 12 - —*Graecula religiosa* (sometimes referred to as
- 13 - —*Eulabes religiosa*)
- 14 - —Family Ploceidae (weavers)
- 15 - —The following species:
- 16 - —Spanish sparrow, *Passer hispaniolensis*
- 17 - —Italian sparrow, *Passer italiae*
- 18 - —European tree sparrow, *Passer montanus*
- 19 - —Cape sparrow, *Passer capensis*
- 20 - —Madagascar weaver, *Foudia madagascariensis*
- 21 - —Baya weaver, *Ploceus baya*
- 22 - —Hawaiian rice bird, *Munia nisorica*
- 23 - —Red-billed quelea, *Quelea quelea*
- 24 - —Red-headed quelea, *Quelea erythrops*
- 25 - —Family Fringillidae (sparrows, finches, buntings)
- 26 - —Yellowhammer, *Emberiza citrinella*
- 27 —(b) Class Mammalia (mammals)
- 28 - —Order Primates
- 29 - —All species except those in family Hominidae
- 30 - —Order Edentata (sloths, anteaters, armadillos, etc.)
- 31 - —All species.
- 32 - —Order Marsupialia (marsupials or pouched mammals)
- 33 - —All species.
- 34 - —Order Insectivora (shrews, moles, hedgehogs, etc.)
- 35 - —All species.
- 36 - —Order Dermoptera (gliding lemurs)
- 37 - —All species.
- 38 - —Order Chiroptera (bats)
- 39 - —All species.
- 40 - —Order Monotremata (spiny anteaters, platypuses)

- 1 - —All species.
- 2 - —Order Pholidota (pangolins, scaly anteaters)
- 3 - —All species.
- 4 - —Order Lagomorpha (pikas, rabbits, hares)
- 5 - —All species, except domesticated races of rabbits.
- 6 - —Order Rodentia (rodents)
- 7 - —All species, except domesticated golden
- 8 - — hamsters, also known as Syrian hamster;
- 9 - — Mesocricetus auratus; domesticated races of
- 10 - — rats or mice (white or albino; trained;
- 11 - — dancing or spinning, laboratory-reared);
- 12 - — and domestic strains of guinea pig (*Cavia*
- 13 - — porellus).
- 14 - —Order Carnivora (carnivores)
- 15 - —All species, except domestic dogs (*Canis*
- 16 - — familiaris) and domestic cats (*Felis catus*).
- 17 - —Order Tubulidentata (aardvarks)
- 18 - —All species.
- 19 - —Order Proboscidea (elephants)
- 20 - —All species.
- 21 - —Order Hyracoidea (hyraxes)
- 22 - —All species.
- 23 - —Order Sirenia (dugongs, manatees)
- 24 - —All species.
- 25 - —Order Perissodactyla (horses, zebras, tapirs,
- 26 - — rhinoceroses, etc.)
- 27 - —All species except those of the family Equidae.
- 28 - —Order Artiodactyla (swine, peccaries, camels,
- 29 - — deer, elk, except elk (genus *Cervus*) which are
- 30 - — subject to Section 2118.2, moose, antelopes,
- 31 - — cattle, goats, sheep, etc.)
- 32 - —All species except: domestic swine of the family
- 33 - — Suidae; American bison, and domestic cattle,
- 34 - — sheep and goats of the family Bovidae; races
- 35 - — of big-horned sheep (*Ovis canadensis*) now
- 36 - — or formerly indigenous to this state.
- 37 ——— Mammals of the orders Primates, Edentata,
- 38 ——— Dermoptera, Monotremata, Pholidota, Tubulidentata,
- 39 ——— Proboscidea, Perissodactyla, Hyracoidea, Sirenia and
- 40 ——— Carnivora are restricted for the welfare of the animals;

- 1 ————except animals of the families Viverridae and Mustelidae
 2 ————in the order Carnivora are restricted because such
 3 ————animals are undesirable and a menace to native wildlife,
 4 ————the agricultural interests of the state, or to the public
 5 ————health or safety.
- 6 —(e) Class amphibia (frogs, toads, salamanders)
 7 - —Family Bufonidae (toads)
 8 - —Giant toad or marine toad, *Bufo marinus*
- 9 —(d) Class Monorhina (lampreys)
 10 - —All species.
- 11 —(e) Class Osteichthyes (bony fishes)
 12 - —Family Serranidae (bass)
 13 - —White perch, *Morone* or *Roccus americana*
 14 - —Family Clupeidae (herring)
 15 - —Gizzard shad, *Dorosoma cepedianum*
 16 - —Family Sciaenidae (croakers)
 17 - —Freshwater sheepshead, *Aplodinotus grunniens*
 18 - —Family Characidae (characins)
 19 - —Banded tetra, *Astyanax fasciatus*
 20 - —All species of piranhas
 21 - —Family Lepisosteidae (gars)
 22 - —All species.
 23 - —Family Amiidae (bowfins)
 24 - —All species.
- 25 —(f) Class Reptilia (snakes, lizards, turtles, alligators)
 26 - —Family Crocodylidae
 27 - —All species.
- 28 —(g) Class Crustacea (crustaceans)
 29 - —Genus *Cambarus* (crayfishes)
 30 - —All species.
 31 - —Genus *Astacus* (crayfishes)
 32 - —All species.
 33 - —Genus *Astacopsis* (crayfishes)
 34 - —All species.
- 35 —(h) Class Gastropoda (slugs, snails, clams)
 36 - —All species of slugs.
 37 - —All species of land snails.
- 38 —(i) Other classes, orders, families, genera, and species
 39 of wild animals which may be designated by the
 40 commission in cooperation with the Department of Food

1 and Agriculture, (1) when the class, order, family, genus,
 2 or species is proven to be undesirable and a menace to
 3 native wildlife or the agricultural interests of the state, or
 4 (2) to provide for the welfare of wild animals.

5 ~~—(j) Except as expressly authorized in this code, any live~~
 6 ~~nonindigenous Atlantic salmon or the roe thereof into the~~
 7 ~~Smith River watershed.~~

8 ~~—(k) Classes, families, genera, and species in addition to~~
 9 ~~those listed in this section may be added to or deleted~~
 10 ~~from the above lists from time to time by commission~~
 11 ~~regulations in cooperation with the Department of Food~~
 12 ~~and Agriculture.~~

13
 14 SEC. 2. Section 2118 is added to the Fish and Game Code, to
 15 read:

16 2118. It is unlawful to import, transport, possess, or release
 17 alive into this state, except under a revocable, nontransferable
 18 permit as provided in this chapter and the regulations pertaining
 19 thereto, any wild animal of the following species:

- 20
- 21 (a) Class Aves (birds)
- 22 Family Alaudidae (larks)
- 23 Alauda arvensis (skylark)
- 24 Family Cuculidae (cuckoos)
- 25 All species
- 26 Family Corvidae (crows, ravens, rooks, jackdaws)
- 27 All species
- 28 Family Turdidae (thrushes, blackbirds, fieldfare)
- 29 The following species:
- 30 Turdus merula (European blackbird)
- 31 Turdus viscivorus (missel thrush)
- 32 Turdus pilaris (fieldfare)
- 33 Turdus musicus (song thrush)
- 34 Family Sturnidae (starlings, mynahs)
- 35 All species, except Sturnus vulgaris (starling), Gracula religiosa
- 36 or Eulabes religiosa (hill mynahs), and Leucopsar rothschildi
- 37 (Rothchild’s mynah)
- 38 Family Ploceidae (sparrows, weavers, queleas)
- 39 Genus Passer (sparrow)
- 40 All species, except Passer domesticus (English house sparrow)

- 1 Foudia madagascariensis (Madagascar weaver)
- 2 Ploceus baya (baya weaver)
- 3 Genus Quelea (queleas)
- 4 All species
- 5 Family Estrildidae (waxbills, munias, ricebirds)
- 6 Padda oryzivora (Java sparrow)
- 7 Family Emberididae (yellowhammer)
- 8 Emberiza citrinella (yellowhammer)
- 9 Order Falconiformes (falcons, eagles, hawks, vultures)
- 10 Vultures, all species
- 11 Falcons, eagles, hawks
- 12 Order Strigiformes (owls)
- 13 All species
- 14 Family Pyconotidae (bulbuls or fruit thrushes)
- 15 Pycnonotus jocosus (red-whiskered bulbul)
- 16 Family Zosteropidae (whiteeyes)
- 17 All species Genus Zosterops (whiteeyes)
- 18 Family Psittacidae (parrots, parakeets)
- 19 Myiopsitta monachus (monk or quaker parakeet)
- 20 (b) Class Mammalia (mammals)
- 21 Order Primata (monkeys, apes)
- 22 All species, except Family Hominidae
- 23 Order Edendata (sloths, anteaters, armadillos)
- 24 All species
- 25 Family Dasypodidae (armadillos)
- 26 All species
- 27 Family Bradypodidae (sloths)
- 28 Family Myrmecophagidae (anteaters)
- 29 Order Marsupialia (marsupials or pouched animals)
- 30 All species
- 31 Order Insectivora (shrews, moles, hedgehogs)
- 32 All species
- 33 Order Dermoptera (gliding lemurs)
- 34 All species
- 35 Order Chiroptera (bats)
- 36 All species
- 37 Order Monotremata (spiny anteaters, platypuses)
- 38 All species
- 39 Order Pholidota (pangolins or scaly anteaters)
- 40 All species

- 1 Order Lagomorpha (pikas, rabbits, hares)
- 2 All species, except domesticated varieties of rabbits and hares of
- 3 the Family Leporidae
- 4 Order Rodentia (hamsters, field mice, voles, muskrats,
- 5 gerbils, squirrels, chipmunks, woodchucks, prairie
- 6 dogs)
- 7 All species, except:
- 8 Ondatra zibethica (muskrats), under conditions set
- 9 forth in Section 2250
- 10 Domesticated races of golden hamsters of the species
- 11 Mesocricetus auratus and domesticated races of
- 12 dwarf hamsters of the Genus Phodopus
- 13 Domesticated races of rats or mice (white or albino; trained,
- 14 dancing or spinning, laboratory-reared)
- 15 Domesticated races of guinea pigs of the species
- 16 Cavia porcellus
- 17 Domesticated races of chinchillas of the species
- 18 Chinchilla laniger
- 19 Order Carnivora (raccoons, ringtailed cats, kinkajous, coatis,
- 20 cacomistles, weasels, ferrets, skunks, polecats, stoats, mongoose,
- 21 civets, wolves, foxes, coyotes, lions, tigers, ocelots, bobcats,
- 22 servals, leopards, jaguars, cheetahs, bears)
- 23 Family Felidae
- 24 All species, except:
- 25 Acinonyx jubatus (cheetahs)
- 26 Domestic cats and hybrids of domestic cats
- 27 Family Canidae
- 28 All species
- 29 Wolf hybrids (Canis familiaris (domestic dog) x Canis
- 30 lupus (wolf)). Any F1 (first) generation wolf
- 31 hybrid whelped on or before February 4, 1988,
- 32 may be possessed under permit from the department.
- 33 No state permit is required to possess the progeny
- 34 of F1 generation wolf hybrids, but cities and
- 35 counties may prohibit possession or require a permit.
- 36 Domesticated dogs are not restricted.
- 37 Family Viverridae
- 38 All species
- 39 Family Procyonidae
- 40 All species, except:

- 1 *Ailuris fulgens* (lesser panda)
- 2 *Ailuropoda melanoleuca* (giant panda)
- 3 *Bassariscus astutus* (ringtail or ringtailed cat)
- 4 *Jentinkia sumichrasti* (Mexican and Central American
- 5 cacomistle)
- 6 Family Mustelidae
- 7 All species, except:
- 8 *Amblonyx cinerea* (Oriental small-clawed otter)
- 9 *Aonyx capensis* (African clawless otter)
- 10 *Pteronura brasiliensis* (giant otter)
- 11 All species of Genus *Lutra* (river otters)
- 12 All others
- 13 Order Tubulidentata (aardvarks)
- 14 All species
- 15 Order Proboscidae (elephants)
- 16 All species
- 17 Order Hyracoidae (hyraxes)
- 18 All species
- 19 Order Sirenia (dugongs, manatees)
- 20 All species
- 21 Order Perissodactyla (horses, zebras, tapirs, rhinoceroses, etc.)
- 22 All species, except Family Equidae
- 23 Order Artiodactyla (swine, peccaries, camels, deer, elk, moose,
- 24 antelopes, cattle, goats, sheep, etc.)
- 25 All species, except:
- 26 *Bos taurus* and *Bos indicus* (domestic cattle)
- 27 *Bos grunniens* (yak)
- 28 *Bubalus bulalis* (Asian water buffalo)
- 29 *Ovis aries* (domestic sheep)
- 30 *Capra hircus* (domestic goat)
- 31 *Sus scrofa domestica* (domestic swine)
- 32 *Llama glama* (llama)
- 33 *Llama pacos* (alpaca)
- 34 *Llama guanicoe* (guanaco)
- 35 Hybrids of llama, alpaca, and guanacos
- 36 *Camelus bactrianus* and *Camelus dromedarius* (camels)
- 37 *Bison bison* (American bison)
- 38 Permits may be issued for species of elk (Genus *Cervus*) that
- 39 are already maintained within California.

- 1 Permits may be issued pursuant to Section 676 of Title 14 of
- 2 the California Code of Regulations, for importing, breeding,
- 3 slaughter, and sale of the meat and other parts of fallow deer
- 4 (*Dama dama*) for commercial purposes.
- 5 (c) Class Amphibia (frogs, toads, salamanders)
- 6 Family Bufonidae (toads)
- 7 *Bufo marinus*
- 8 *Bufo paracnemis*
- 9 *Bufo horribilis* (giant toad or marine toad group) and all other
- 10 large toads from Mexico and Central and South America
- 11 Family Pipidae (tongueless toads)
- 12 All species of the Genus *Xenopus*
- 13 Family Ambystomatidae (mole salamanders)
- 14 All species of the Genus *Ambystoma* (tiger salamanders)
- 15 (d) Class Agnatha (jawless fish)
- 16 Family Petromyzontidae (lampreys)
- 17 All nonnative species
- 18 (e) Class Osteichthyes (bony fish)
- 19 Family Percichthyidae (temperate bass)
- 20 *Morone americana* (white perch)
- 21 *Morone chrysops* (white bass)
- 22 Family Clupeidae (herrings)
- 23 *Dorosoma cepedianum* (gizzard shad)
- 24 Family Sciaenidae (drums)
- 25 *Aplodinotus grunniens* (freshwater drum)
- 26 Family Characidae (characins)
- 27 *Astyanax fasciatus* (banded tetra)
- 28 All species of the genera *Serrasalmus*, *Serrasalmo*, *Pygocentrus*,
- 29 *Tadyyella*, *Rooseveltiella*, *Pygopristis* (piranhas), and *Hoplias*
- 30 *malabaricus* (tiger fish)
- 31 Family Salmonidae (trouts)
- 32 *Salmo salar* (Atlantic salmon)--Restricted in the Smith River
- 33 watershed
- 34 Family Lepisosteidae (gars)
- 35 All species
- 36 Family Amiidae (bowfins)
- 37 All species
- 38 Family Poeciliidae (livebearers)
- 39 *Belonesox belizanus* (pike killifish)
- 40 Family Channidae (snakeheads)

- 1 All species
- 2 Family Cyprinidae (carps and minnows)
- 3 Leuciscus idus (ide)
- 4 Ctenopharyngodon idellus (grass carp), except that permits may
- 5 be issued to a person, organization, or agency for possession
- 6 of triploid grass carp, under conditions set forth in regulation.
- 7 Hypophthalmichthys molitrix (silver carp)
- 8 Aristichthys nobilis (bighead carp)
- 9 Family Trichomycteridae (Pygidiidae) (parasitic catfish)
- 10 All species
- 11 Family Cetopsidae (whalelike catfish)
- 12 All species
- 13 Family Clariidae (labyrinth catfish)
- 14 All species of the genera Clarias, Dinotopterus, and
- 15 Heterobranchus
- 16 Family Heteropneustidae (Saccobranchidae) (airsac catfish)
- 17 All species
- 18 Family Cichlidae (cichlids)
- 19 Tilapia sparrmani (banded tilapia)
- 20 Tilapia zilli (redbelly tilapia), except permits may be issued to a
- 21 person or agency for importation, transportation, or possession
- 22 in the Counties of San Bernardino, Los Angeles, Orange,
- 23 Riverside, San Diego, and Imperial.
- 24 Tilapia aurea (blue tilapia)
- 25 Tilapia nilotica (Nile tilapia)
- 26 Family Anguillidae (freshwater eels)
- 27 All species of Genus Anguilla
- 28 Family Esocidae (pikes)
- 29 All species
- 30 Family Percidae (perches)
- 31 Perca flavescens (yellow perch)
- 32 Stizostedion vitreum (walleye)
- 33 Family Catostomidae (suckers)
- 34 All members of Genus Ictiobus (buffalos)
- 35 Family Cyprinodontidae (killifish)
- 36 Cyprinodon variegatus (sheepshead minnow)
- 37 (f) Class Elasmobranchiomorphi (cartilaginous fish)
- 38 Family Carcharhinidae (requiem sharks)
- 39 All species of Genus Carcharhinus (freshwater sharks)
- 40 Family Potamotrygonidae (river stingrays)

- 1 All species
- 2 (g) Class Reptilia (reptiles)
- 3 Order Crocodylia (crocodiles, caimans, alligators, and gavials)
- 4 All species
- 5 Family Chelyridae (snapping turtles)
- 6 All species
- 7 Family Elapidae (cobras, coral snakes, mambas, kraits, etc.)
- 8 All species
- 9 Family Viperidae (adders and vipers)
- 10 All species
- 11 Family Crotalidae (pit vipers)
- 12 All species, except:
- 13 Crotalus viridis (western rattlesnake)
- 14 Crotalus atrox (western diamondback rattlesnake)
- 15 Crotalus ruber (red diamondback rattlesnake)
- 16 Crotalus scutulatus (Mojave rattlesnake)
- 17 Crotalus mitchelli (speckled rattlesnake)
- 18 Crotalus cerastes (sidewinder)
- 19 Family Colubridae (colubrids)
- 20 Dispholidus typus (boomslang)
- 21 Theoltornis kitlandii (bird or vine snake)
- 22 Family Helodermatidae
- 23 Heloderma suspectum suspectum (reticulate Gila monster)
- 24 (h) Class Crustacea (crustaceans)
- 25 Family Cambaridae (crayfish, etc.) All species, except:
- 26 Procambarus clarkia
- 27 Orconectes virilis
- 28 All species of Genus Eriocheir
- 29 (i) Class Gastropoda (slugs, snails)
- 30 Potamopyrgus antipodarum (New Zealand mudsnail)
- 31 All nonnative species of slugs and land snails, except:
- 32 Rumina decollata (decollate snail) in the Counties of San
- 33 Bernardino, Riverside, Imperial, Orange, San Diego, Los
- 34 Angeles, Ventura, Kern, Fresno, Madera, Tulare, and Santa
- 35 Barbara not restricted with the concurrence of the appropriate
- 36 county agricultural commissioners.
- 37 Helix aspersa (brown garden snail)
- 38 (j) Class Bivalvia (bivalves)
- 39 All members of the Genus Dreissena (zebra mussels)
- 40 (k) Transgenic aquatic animals

1 Includes freshwater and marine fishes, invertebrates, crustaceans,
2 mollusks, amphibians, and reptiles

3

4

5 (l) The commission in cooperation with the Department of Food
6 and Agriculture, may designate other classes, orders, families,
7 genera, and species of wild animals, (1) if the class, order, family,
8 genus, or species is proven to be undesirable and a menace to
9 native wildlife or (2) to provide for the welfare of wild animals.

10 (m) Except as expressly authorized in this code, any live
11 nonindigenous Atlantic salmon or the roe thereof into the Smith
12 River watershed.

13 (n) Classes, families, genera, and species, in addition to those
14 listed in this section, may be added to or deleted from the above
15 list by commission regulations in cooperation with the Department
16 of Food and Agriculture.