

AMENDED IN ASSEMBLY MAY 23, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1169

Introduced by Assembly Member Jeff Gonzalez

February 21, 2025

An act to amend Sections 1572 and 1573 of the Fish and Game Code, relating to wildlife grants.

LEGISLATIVE COUNSEL’S DIGEST

AB 1169, as amended, Jeff Gonzalez. Wildlife grants: Shared Habitat Alliance for Recreational Enhancement program.

Existing law establishes ~~various programs and authorizes various projects related to wildlife-dependent recreational activities and the protection of wildlife, including projects to benefit upland game bird species and waterfowl and the Shared Habitat Alliance for Recreational Enhancement (SHARE) program.~~ Existing law provides that it is the ~~intent of the SHARE~~ program to encourage private landowners to voluntarily make their land available to the public for wildlife-dependent recreational activities, as specified. Existing law requires a cap on financial compensation offered to a private landowner of \$30 per acre, or \$50 per public participant per day. Existing law authorizes the Department of Fish and Wildlife, as part of the SHARE program, to make grants to, or enter into agreements with, nonprofit organizations, governmental entities, or any other entities for purposes of carrying out the SHARE program.

This bill would ~~instead require~~ *require, rather than authorize*, the department to make those grants to, or enter into agreements with, the ~~above-described~~ *above-described* entities, including a nonprofit conservation organization, when the department finds the grants or

agreements are necessary for carrying out the purposes of the SHARE program. The bill would ~~remove~~ *increase* the required cap on financial compensation offered to private landowners pursuant to the SHARE program ~~and to \$52 per acre, or \$87 per public participant per day, and would require those figures to be adjusted annually for inflation, as provided.~~ The bill would authorize the department to reimburse a nonprofit organization, a private landowner, or other entity for its services related to the implementation of the program.

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 1572 of the Fish and Game Code is
2 amended to read:
3 1572. (a) There is hereby established the Shared Habitat
4 Alliance for Recreational Enhancement (SHARE) program. The
5 department, in partnership with nonprofit conservation groups and
6 other interested nongovernmental organizations that seek to
7 increase and enhance wildlife-dependent recreational opportunities,
8 shall work cooperatively to implement the program in order to
9 facilitate public access to private lands in a voluntary and
10 incentive-based manner.
11 (b) The department shall adopt regulations for the management
12 and control of wildlife-dependent recreational activities on land
13 that is subject to the program. The department shall report to the
14 commission annually on the status of the program and maintain
15 data on the types of wildlife-dependent recreational activities
16 preferred by landowners and participants in the program.
17 (c) (1) The SHARE Account is hereby established in the Fish
18 and Game Preservation Fund. Money deposited in the account
19 from the sources cited in this subdivision shall only be used for
20 the purposes set forth in this article.
21 (2) Consistent with existing law, the department may establish
22 and impose user fees, use existing hunting and fishing license
23 stamp or tag fees from the Fish and Game Preservation Fund, or
24 apply for grants, federal funds, or other contributions from other
25 sources to fund the program. General Fund moneys shall not be
26 used for the program.

(3) All funding generated pursuant to paragraph (2) from grants, federal funds, or other sources, where the person or entity providing the funds specifically designates in writing prior to the time of transmittal of the funds to the department that the funds are intended solely for the purposes of the program, and any user fees assessed by the department specifically for the program, shall be deposited in the SHARE Account in the Fish and Game Preservation Fund. The moneys in the account, upon appropriation by the Legislature, shall be available for expenditure by the department solely for programs and projects to benefit the program and for the direct costs and administrative overhead incurred solely in carrying out the department's program activities. Funds may also be used for wildlife conservation purposes on lands subject to an agreement under the program. Administrative overhead shall be limited to the reasonable costs associated with the direct administration of the program. The department shall maintain internal accountability necessary to ensure that all restrictions on the expenditure of these funds are met.

(d) Consistent with Section 1570, the department shall make grants to, or enter into agreements with, nonprofit conservation organizations, governmental entities, or any other entities for the use of the funds described in subdivision (c) when the department finds that the grants or agreements are necessary for carrying out the purposes of this article.

(e) The program is not subject to Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, or Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code.

(f) The department may reimburse a nonprofit organization, a private landowner, or other entity for its costs or services related to the implementation of the program.

SEC. 2. Section 1573 of the Fish and Game Code is amended to read:

1573. (a) (1) The department may enter into a voluntary agreement with a private landowner, including an agreement under which the private landowner is compensated by the department for public use of the land, to provide public access for wildlife-dependent recreational activities. Any financial compensation offered to a private landowner pursuant to this paragraph *shall not exceed fifty-two dollars (\$52) per acre, or*

1 *eighty-seven dollars (\$87) per public participant per day, and*
2 *shall be commensurate with the quality of the wildlife-dependent*
3 *recreational opportunities that are to be provided on the property.*
4 *The limits on financial compensation set forth in this paragraph*
5 *are applicable to the 2026 calendar year and shall be adjusted*
6 *annually thereafter using the calculations described in Section*
7 *713.*

8 (2) The department also may enter into a voluntary agreement
9 with a private landowner to facilitate access to adjacent public
10 lands or waters, upon approval of the governmental entity that
11 holds title to the land. This article does not authorize a private
12 landowner to exclude persons not participating in the SHARE
13 program from using public land for wildlife-dependent recreational
14 activities.

15 (3) The department may enter into a voluntary agreement with
16 a governmental entity to provide wildlife-dependent recreational
17 opportunities to the public on public lands or waters.

18 (b) Notwithstanding any other law, the department shall keep
19 confidential and not release to the public any personal identifying
20 information received from a private landowner participating in the
21 program, unless the director determines that release of that
22 information is necessary for the administration of the program.

23 (c) Either the department or a private landowner may, in writing,
24 modify or cancel an agreement executed under the program, at
25 any time. Upon cancellation or modification of the agreement by
26 either party, the other party shall be reimbursed for any lost
27 revenues or expenses incurred pursuant to the terms of the original
28 agreement.

29 (d) In addition to any other protection or remedy under law, the
30 protections and remedies afforded to an owner of an estate or any
31 other interest in real property under Section 846 of the Civil Code
32 shall apply to a private landowner, nonprofit organization, or other
33 entity participating in the program.

34 (e) The department shall require every person who wants to use
35 land that is subject to an agreement pursuant to subdivision (a),
36 before using that land, to sign a waiver that releases the department
37 or any private group, nonprofit organization, governmental entity,
38 or other organization involved in administering the program, and
39 the private landowner, from liability for any injury or damage that
40 arises from, or is connected with that person's use of the land.

1 Upon request, the department shall provide a copy of the waiver
2 to any of the parties to the waiver.

3 (f) An agreement executed pursuant to the program shall not
4 authorize the take of nongame species by public participants in
5 the program. An agreement may not authorize a private landowner
6 to transfer a hunting or fishing license, stamp, or tag to another
7 person, unless otherwise authorized by law.

8 (g) In determining which lands may be included in the program,
9 the department shall give priority to those lands with the greatest
10 wildlife habitat value. To the extent possible, the department shall
11 also include in the program private lands that permit multiple
12 wildlife-dependent recreational activities, in order to take into
13 consideration the participation of the general public in the program.