

**State of California  
Office of Administrative Law**

In re:  
Department of Fish and Wildlife

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections: 700.1

Amend sections:

Repeal sections:

**NOTICE OF APPROVAL OF EMERGENCY  
REGULATORY ACTION**

Government Code Sections 11346.1 and  
11349.6

OAL Matter Number: 2023-0508-01

OAL Matter Type: Emergency Resubmittal  
(ER)

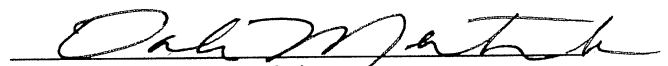
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This emergency rulemaking action adopts a new regulation to specify the conditions and requirements for unlicensed hunters to participate in two free hunting days in California pursuant to Fish and Game Code section 3040.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 7/1/2023, pursuant to Government Code section 11346.1(d) and, pursuant to Fish and Game Code section 3040(i)(2), shall remain in effect until revised by the Department of Fish and Wildlife.

Date: May 16, 2023



Dale Mentink  
Assistant Chief Counsel

For: Kenneth J. Pogue  
Director

Original: Charlton Bonham, Director  
Copy: Ona Alminas

# EMERGENCY

instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2023-0508-01ER</b>	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

**MAY 16 2023**  
1:40pm J.M.

OFFICE OF ADMIN. LAW 2023 MAY 8 AM 8:06	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY  
Department of Fish and Wildlife

AGENCY FILE NUMBER (If any)

### A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
<b>OAL USE ONLY</b> <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER
			PUBLICATION DATE

### B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Free Hunting Days	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2022-1206-01E
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT 700.1
AMEND
TITLE(S) 14
REPEAL

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input checked="" type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)	PER AGENCY REQUEST
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) <b>7/1/2023</b>	<b>DM</b>

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____

7. CONTACT PERSON Ona Alminas	TELEPHONE NUMBER (916) 902-9222	FAX NUMBER (Optional) ona.alminas	E-MAIL ADDRESS (Optional) @wildlife.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

DocuSigned by: SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Charlton H. Bonham</i>	DATE 4/13/2023
TYPED NAME AND TITLE OF SIGNATORY Charlton H. Bonham, Director, California Department of Fish and Wildlife	

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

**MAY 16 2023**

**Office of Administrative Law**

March 13, 2023

Emergency Proposed Regulatory Language

Section 700.1, Title 14 CCR, is added to read:

**§ 700.1. California Free Hunting Days.**

(a) Definitions:

(1) "Free Hunting Day Registration" is a no-fee license available only to an authorized unlicensed hunter for use on the two designated free hunting days of the license year for which the registration is issued.

(2) "Authorized Unlicensed Hunter" is a California resident who holds a free hunting day registration.

(3) "Licensed Supervising Hunter" is a hunter accompanying an authorized unlicensed hunter who holds a valid California hunting license and is at least 21 years old.

(b) An authorized unlicensed hunter shall be eligible to participate in free hunting days for only one license year and shall not be eligible to obtain a free hunting day registration for any other license year.

(c) The department shall issue a free hunting day registration to hunt on free hunting days to any California resident who submits to the department all information required to obtain an annual California hunting license pursuant to sections 700.3 and 700.4 and provides evidence of completing a course in hunter education as required in paragraph (3) of subdivision (a) of Fish and Game Code Section 3050.

(d) Authorized unlicensed hunters must have in their possession while hunting: a free hunting day registration for the current license year, any required tags, validations, report cards, federal entitlements and any required entry permits, with the exception of upland game bird hunting validations and state duck hunting validations.

(e) Authorized unlicensed hunters participating in free hunting days shall take only upland and migratory game birds as defined in sections 300 and 502; resident small game as defined in Section 257; furbearing mammals as defined in Fish and Game Code Section 4000; nongame mammals as defined in Section 472; and wild pigs as defined in Fish and Game Code Section 4650.

(f) Authorized unlicensed hunters hunting pursuant to this section are subject to all requirements, limitations, restrictions, conditions, statutes, rules, and regulations applicable to the holder of a valid hunting license, except as described in subdivision (g) of Fish and Game Code Section 3040.

(g) A free hunting day registration, as used by an authorized unlicensed hunter participating in free hunting days, does not authorize the possessor to apply for any drawing for any tag, reservation, or other hunting opportunity where an annual hunting license is required to apply.

March 13, 2023

(h) An authorized unlicensed hunter must be accompanied by a licensed supervising hunter, with the following conditions:

(1) A licensed supervising hunter must only accompany one authorized unlicensed hunter.

(2) While engaged in hunting activities, the authorized unlicensed hunter and the licensed supervising hunter shall remain in close visual and verbal contact with each other at all times. The licensed supervising hunter must be able to provide adequate direction and immediately assume control of a firearm or other legal method of take used by the authorized unlicensed hunter, to ensure safety and compliance with laws and regulations at all times, as specified in Fish and Game Code 3040.

(i) Annual free hunting dates will be designated by the director and published in annual publications of the department regarding current hunting regulations, as specified in Fish and Game Code 3040.

Authority: Fish and Game Code Section 3040

Reference: Fish and Game Code Section 3040