

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1722 (Hadwick) – As Amended April 16, 2026

Policy Committee:	Water, Parks and Wildlife	Vote:	10 - 0
	Judiciary		11 - 0

Urgency: No                      State Mandated Local Program: Yes                      Reimbursable: No

**SUMMARY:**

This bill prohibits the imposition of a civil, administrative, or criminal penalty for a violation of the “take” prohibition in the Fish and Game Code (FGC) if the defendant used necessary and reasonable force to protect themselves, a member of their family, or any other individual from immediate bodily harm from an animal listed pursuant to the California Endangered Species Act (CESA).

Specifically, this bill:

- 1) Prohibits a civil or administrative penalty from being imposed for a violation of FGC Section 2080 or 2085, or both, if it can be shown by a preponderance of the evidence that the defendant used necessary and reasonable force to protect themselves, a member of their family, or any other individual from immediate bodily harm from any endangered, threatened, or candidate species.
- 2) Provides that it shall be a defense to prosecution for a violation of FGC Section 2080 or 2085, or both, if the defendant used necessary and reasonable force to protect themselves, a member of their family, or any other individual from immediate bodily harm from any endangered, threatened, or candidate species.
- 3) Requires a person who committed a take, or an attempted take, described in this section to notify the California Department of Fish and Wildlife (CDFW) within 24 hours after the take.

FGC Section 2080 prohibits a person from taking, or attempting to take, any species that the Fish and Game Commission (FGC) determines to be an endangered or threatened species, and FGC Section 2085 prohibits from taking, or attempting to take, any species that FGC determines to be a candidate species to become an endangered species.

**FISCAL EFFECT:**

- 1) Department of Justice (DOJ) and Judicial Council note that any costs to DOJ and the courts are likely minor and absorbable.
- 2) Costs to CDFW are likely minor and absorbable. While the bill requires a person who took, or attempted to take, an animal listed under CESA to notify CDFW within 24 hours after the take, this provision is unlikely to result in increased costs to the department, since CDFW

must already respond to and investigate these types of wildlife encounters regardless of the changes in this bill.

#### COMMENTS:

1) **Purpose.** According to the author:

[CESA] prohibits the “take” of a listed species, including actions such as pursuing, capturing, or killing, without clear exceptions for situations involving immediate threats to human safety. As a result, individuals who act to protect themselves or others from bodily harm may still face civil, administrative, or even criminal penalties.

Assembly Bill 1722 establishes a clear, good-faith self-defense protection under CESA, aligning California law with the federal Endangered Species Act [ESA], which already recognizes this defense. In emergency situations when seconds count, law enforcement officials warn that the lack of clarity in current law creates significant public safety risks. This bill ensures that individuals and law enforcement on the ground can react immediately and reasonably to protect themselves, their families, or others from harm.

2) **Background.** California law generally prohibits the “taking” of wildlife, which includes the hunting, pursuing, catching, capturing, or killing of a wild animal, without receiving specific permits from CDFW. The penalties for unlawfully taking an animal may be compounded if that animal is listed by FGC as an endangered species. The author and proponents of this bill note that, unlike federal law, California law does not provide an exception to the taking law for self-defense.

Among others in support of this bill, the Rural County Representatives of California (RCRC) notes that many of its member counties engaged with CDFW to “mitigate the profound impacts of gray wolves, which reintroduced themselves into California over the last decade.” Gray wolves can be a threat to both livestock and public safety. Similarly, mountain lions are becoming an increasing danger to residents in areas that overlap with their habitat. RCRC argues that the listing of both species under CESA, in concert with ESA, has “greatly slowed CDFW’s response to human safety and livestock depredation concerns and cost the state millions of dollars in compensation to ranchers for their losses.” In addition, RCRC argues CESA does not provide adequate protection for a California resident who must use lethal force in self-defense. RCRC writes:

AB 1722 would harmonize self-defense provisions in CESA with protections in the federal Endangered Species Act, allowing for Californians to employ lethal tactics in self-defense when necessary during an encounter with a protected species. In doing so, the measure ensures that individuals are not subject to prosecution for protecting themselves, their families, or others from harm by a protected predatory animal.