

ASSEMBLY THIRD READING
AB 1722 (Hadwick)
As Amended April 16, 2026
Majority vote

SUMMARY

Allows an individual to "take" a species listed under the California Endangered Species Act (CESA) if the individual is acting in self-defense, or defense of another individual, when threatened with immediate bodily harm by the listed species.

Major Provisions

- 1) Prohibits a civil or administrative penalty from being imposed for a violation of the take prohibition of a listed species, 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 an endangered, threatened, or candidate species.
- 2) Provides that it shall be a defense to prosecution for a violation of the take prohibition of a listed species, 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 endangered, threatened, or candidate species.
- 3) Requires a person who committed a take, or an attempted take, to notify the California Department of Fish and Wildlife (CDFW) within 24 hours after the take.

COMMENTS

California law generally prohibits the "taking" of wildlife, which includes the hunting, pursuing, catching, capturing, or killing of a wild animal without a permit, license, or tag from CDFW. The already-strict penalties for unlawfully taking an animal can be compounded if that animal is listed under CESA by the Fish and Game Commission. As of February 2026, there are 165 CESA-listed plants and 110 CESA-listed animals. Of those CESA-listed plants and animals, there are several that may cause bodily harm to an individual, including bighorn sheep, gray wolves, and mountain lions. The author and proponents of this bill note that, unlike federal law, California law does not provide an exception to CESA for the taking of a listed species for self-defense.

This bill proposes self-defense as a defense against a charge of illegally taking a CESA-listed species in California. This bill would provide a defense to any person who took a listed species while using necessary and reasonable force to protect themselves, a member of their family, or any other individual from immediate bodily harm. The bill clarifies that it is a defense to both criminal and civil liability under CESA and conditions the defense on the defendant properly notifying CDFW within 24 hours of committing the take.

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. 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."

Arguments in Support

California Rifle & Pistol Association writes in support stating that this bill "simply ensures that law-abiding Californians exercising their natural right to self-defense — often while lawfully carrying firearms for protection in bear or predator country — are not treated as poachers or criminals after defending human life." Rural County Representatives of California also express the sentiment that this bill would ensure "that individuals are not subject to prosecution for protecting themselves, their families, or others from harm by a protected predatory animal."

Arguments in Opposition

Social Compassion in Legislation and a collection of organizations are concerned about the treatment of wildlife in the state. They write that "although [the self-defense terms in the bill] are familiar in other legal contexts, they are not defined within wildlife law and will be inherently difficult to apply consistently. In practice, once an animal is killed, it is often impossible to objectively determine whether lethal force was truly necessary, whether nonlethal alternatives were available, or whether the situation rose to the level of immediate harm required by the statute. This creates significant enforcement challenges."

FISCAL COMMENTS

According to the Assembly Appropriations Committee, this bill has the following fiscal impact:

- 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 [CDFW], since CDFW must already respond to and investigate these types of wildlife encounters regardless of the changes in this bill.

VOTES

ASM WATER, PARKS, AND WILDLIFE: 10-0-3

YES: Papan, Jeff Gonzalez, Alanis, Alvarez, Ávila Farías, Bains, Caloza, Gallagher, Hart, Muratsuchi

ABS, ABST OR NV: Bennett, Boerner, Rogers

ASM JUDICIARY: 11-0-1

YES: Kalra, Macedo, Bauer-Kahan, Bryan, Dixon, Harabedian, Pacheco, Papan, Sanchez, Stefani, Zbur

ABS, ABST OR NV: Connolly

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Hoover, Aguiar-Curry, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

ABS, ABST OR NV: Arambula

UPDATED

VERSION: April 16, 2026

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