GOVERNOR'S VETO
AB 1722 (Hadwick)
As Enrolled August 24, 2026
2/3 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. Further, requires the Department of Fish and Wildlife (CDFW) to prepare a report on threatened and endangered species taken pursuant to this bill, by July 1, 2032.

Governor's Veto Message
"This bill would prohibit the imposition of civil or criminal penalties on an individual who 'takes' a species listed, or a candidate for listing, under [CESA] if the individual acted in self-defense or in defense of another individual to protect against immediate bodily harm.

Defending oneself from immediate bodily harm is a fundamental right. California law already protects against penalties for taking endangered species if the take occurred to protect oneself or another person. This bill duplicates these protections while creating confusion about the applicable standard for invoking this type of defense."

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
A number of hunting organizations write in support of this bill, which supporters claim allows for "limited and clearly defined defense when necessary and reasonable force is used in response to an immediate threat to human safety." They note that this bill "does not expand lawful opportunities to take listed species, weaken existing conservation protections, or alter the listing and recovery framework under CESA. Instead, it creates a narrow and reasonable safeguard for situations involving immediate threats to human safety while preserving California's strong commitment to wildlife conservation." Further, they believe that this bill will reduce "enforcement and judicial costs, limit unnecessary legal exposure for individuals acting in legitimate self-defense, and improve consistency in application of the law."

Arguments in Opposition
Writing in opposition in a joint sign-on letter, Social Compassion in Legislation argues, "[This bill] raises concerns regarding the precedent it sets for the treatment of wildlife in California. By creating a statutory defense that materially alters how [CESA] is enforced, [this bill] opens the door to abuse by poachers."

"Under current law, the take of listed species is strictly prohibited unless authorized in advance through established, science-based processes overseen by [CDFW]. [This bill] shifts away from that structure by allowing individuals to assert that they used 'necessary and reasonable force' to prevent 'immediate bodily harm,' thereby avoiding both civil and criminal liability."

"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

ASSEMBLY FLOOR: 64-0-16
YES: Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Fong, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Johnson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Pacheco, Papan, Patterson, Ramos, Ransom, Michelle Rodriguez, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Rivas
ABS, ABST OR NV: Addis, Berman, Boerner, Connolly, Elhawary, Gabriel, Jackson, Lee, Ortega, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Celeste Rodriguez, Rogers, Zbur

SENATE FLOOR: 34-1-5
YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Grayson, Grove, Hurtado, Jones, Laird, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Strickland, Umberg, Valladares, Wahab, Weber Pierson
NO: Stern
ABS, ABST OR NV: Blakespear, Gonzalez, Limón, Pérez, Wiener

ASSEMBLY FLOOR: 61-1-17
YES: Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Davies, DeMaio, Dixon, Ellis, Flora, Fong, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Johnson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Pacheco, Papan, Patterson, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Rivas
NO: Lee
ABS, ABST OR NV: Addis, Bauer-Kahan, Bennett, Berman, Boerner, Chen, Connolly, Elhawary, Gabriel, Garcia, Irwin, Jackson, Ortega, Patel, Pellerin, Rogers, Zbur

UPDATED

VERSION: August 24, 2026

CONSULTANT: Stephanie Mitchell / W., P., & W. / (916) 319-2096 FN: 0004587