
UNFINISHED BUSINESS

Bill No: SB 765
Author: Niello (R)
Amended: 6/23/25 in Assembly
Vote: 21

SENATE GOVERNMENTAL ORG. COMMITTEE: 15-0, 4/8/25

AYES: Padilla, Valladares, Archuleta, Ashby, Blakespear, Cervantes, Dahle, Hurtado, Jones, Ochoa Bogh, Richardson, Rubio, Smallwood-Cuevas, Wahab, Weber Pierson

SENATE FLOOR: 39-0, 5/27/25

AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Reyes

ASSEMBLY FLOOR: 75-0, 7/7/25 (Consent) - See last page for vote

SUBJECT: State snake

SOURCE: California Rice Commission & Save The Snakes

DIGEST: This bill establishes the giant garter snake (*Thamnophis gigas*) as California's official state snake.

Assembly Amendments of 6/23/25 Revise the Legislative findings and declarations in the bill.

ANALYSIS:

Existing law establishes the state flag and the California's myriad official state emblems, including, among other things, the California desert tortoise as the official state reptile, the Pacific leatherback sea turtle as the official state marine

reptile, the California red-legged frog as the official state amphibian, and serpentine as the official state rock and lithologic emblem.

This bill establishes the giant garter snake (*Thamnophis gigas*) as the official state snake and includes related legislative findings and declarations, as specified.

Background

Author Statement. According to the author's office, "the giant garter snake is truly a giant and is the largest species of all garter snake species. Adult snakes have been documented to reach 64 inches in length. The giant garter snake is the most aquatic garter snake species and survives in habitat that is characterized by shallow, slow-moving streams, ponds, and marshes. The snake is also found in agricultural areas, such as rice fields, where it uses irrigation ditches and canals for transportation between water bodies. The giant garter snake is a threatened species and its population has declined by more than 90 percent in the past century."

Additionally, "the primary threats to the snake's survival are habitat loss and degradation, as well as predation by nonnative species. The giant garter snake was listed as threatened under the California Endangered Species Act in 1971 and Threatened under the Federal Endangered Species Act in 1993. By naming the Giant Garter Snake as the State Snake of California acknowledges the importance of the species in the ecology, agriculture, and water resources of California."

Serpentes. According to Britannica, snakes (suborder Serpentes), are any of more than 3,400 species of reptiles distinguished by their limbless condition and greatly elongated body and tail. Classified with lizards in the order Squamata, snakes represent a lizard that, over the course of evolution, has undergone structural reduction, simplification, and asp-specialization. Notably, all snakes lack external limbs, but not all legless reptiles are snakes. Certain burrowing lizards may have only front or hind limbs or be completely legless. Unlike lizards, snakes lack movable eyelids, which results in a continuous – and often disconcerting – stare.

Nearly every culture since prehistoric times (including various present-day cultures) has worshipped, revered, or feared snakes. Serpent worship is one of the earliest forms of veneration, with some carvings dating to 10,000 BCE. A vast global compendium of superstitions and mythologies have resultantly sprung up. Many stem from the snake's biological peculiarities: their ability to shed skin is wrapped up together with perceived immortality in lore; their ever-open eyes represent omniscience; their propensity for coyly appearing and disappearing allies

the snake with magic and ghosts; and the ability to kill with a single bite engenders fear of any snakelike creature.

A recent study by the American Pet Products Association titled “National Pet Ownership Survey,” notes that approximately 800,000 Americans keep snakes at home as pets. Meanwhile, a 2020 report available on the National Library of Medicine’s website titled “Faster detection of snake and spider phobia: revisited,” reveals that upwards of half of the population experiences some sort of anxiety elicited by snakes. Further, between three and four percent of individuals are estimated to have clinically relevant ophidiophobia (a crippling fear of snakes).

Notably, 2025 is the Lunar Year of the Wood Snake – symbolizing versatility, growth, and creativity. The Lunar Year of the Wood Snake was recognized earlier this Legislative Session by SR 12 (Wahab, 2025) on the Floor of the State Senate.

The Giant Garter Snake. Garter snakes are one of the most widespread snakes in North America, and are a species you might have run into (or from) before. Sometimes mistakenly called a “garden snake,” garter snakes earned their name by resembling the female undergarment, the garter belt. The giant garter snake (*Thamnophis gigas*) is one of the largest garter snakes, with the ability to reach a length of over five feet. The giant garter snake was federally recognized as a threatened species in 1993.

Historically, giant garter snakes were found along the edges of large flood basins, freshwater marshes, and tributaries in California’s Central Valley from Butte County in the north to Kern County in the south. Today, their range extends from Butte and Glenn counties in the north to Fresno County in the south, where they are known to live in a variety of agricultural, managed, and natural wetlands. Giant garter snakes inhabit natural wetlands such as marshes, sloughs, ponds, and small lakes and streams. These snakes also live in artificial waterways and agricultural wetlands, like irrigation and drainage canals and rice fields, as well as adjacent uplands. Only about 5-10% of the giant garter snake’s historical wetland habitat acreage remains.

The giant garter snake is brown or olive to black, with an underside that is light brown or grayish. The snakes typically have a yellowish dorsal stripe, a light gold to yellow stripe on each side, and two rows of dark blotches on their sides. It is a large snake with keeled dorsal scales and a head slightly wider than the neck.

Other Snakes for Your Consideration. This bill presents a classic forked tongue dilemma. Should California name a state snake, and if so, just which snake is most deserving of the honor? When weighing options, the Legislature may wish to contemplate some of California's other iconic basilisks before deciding which species of snake tips the scales in favor of official state status. Alternatives include the California kingsnake, a non-venomous predator, helping control populations of rodents and even venomous snakes, contributing to natural pest control. Often admired for its adaptive behavior and beneficial role in the ecosystem, it has a positive reputation among ophidiophiles.

The Northern Pacific rattlesnake, also known as the Western rattlesnake, is one of the more iconic rattlesnakes in California, having long been a part of the local folklore and the natural history of the region. Despite its venomous reputation, it plays a vital role in maintaining balanced ecosystems by regulating prey populations. Its presence in rugged and wild areas can serve as a symbol of California's natural landscapes and the need to respect and protect them. The California striped whipsnake is known for its quick movements and sleek form, representing agility and resilience in California's diverse terrains.

The San Francisco garter snake is critically endangered and iconic for its vibrant colors, considered one of America's most beautiful snakes by the herpetologically inclined. It is estimated that there are only 1,000 to 2,000 adult snakes of the subspecies remaining, identifiable by their fierce blue-green coloring, bordered by stripes of black, red, orange, blue, and green – at times resembling a rainbow.

California's Official State Emblems. California is renowned for its diverse landscapes, rich history, global influence, and its industrious and vibrant people. Boasting a unique array of official symbols, the state represents its natural beauty, historical significance, and cultural identity through emblems. These symbols serve as reminders for residents and visitors alike, emphasizing the state's distinct identity and the importance of preserving its heritage for future generations. As California continues to evolve and grow, its state emblems are intended to remain steadfast symbols of the state's past, present, and future.

For example, the golden poppy is codified as the official state flower, representing the state's vibrant landscapes and wildflower fields. Many people believe that emblem law prohibits cutting or damaging the California poppy because of its official designation. In fact, there is no law specifically protecting the California poppy, but the designation endears a special appreciation of the flower and has

perpetuated the myth that no one may pick them. Designated in 1903, the golden poppy symbolizes the beauty of California's natural environment.

A number of the state's official emblems lean heavily on California's Gold Rush history. The official state motto – “Eureka” – is a Greek word that translates to “I have found it.” In the context of California, the motto is closely tied to the California Gold Rush of 1848-1855. Gold discovered at Sutter's Mill in 1848 sparked a massive influx of fortune-seekers who flocked to California to seek wealth and prosperity. Native gold is designated as the official state mineral and mineralogic emblem, while “The Golden State” serves as the official state nickname, and Bodie is established as the official state gold rush ghost town.

Recent additions to the list of official state emblems include the California Golden Chanterelle (state mushroom), the pallid bat (state bat), the banana slug (state slug), the shell of the black abalone (state sea shell), and the Dungeness crab (state crustacean) – all having been added during the 2023-24 Legislative Session. California is now represented by nearly 50 state symbols, 43 of which are codified by statute in Government Code including: state amphibian, animal, bird, colors, dance, dinosaur, fabric, flower, flag, folk dance, fossil, gemstone, gold rush ghost town, grass, historical society, insect, LGBTQ veterans memorial, lichen, marine fish, marine mammal, marine reptile, military museum, mineral, motto, mushroom, nickname, nuts, prehistoric artifact, reptile, rock, seal, silver rush ghost town, soil, song, sport, tall ship, tartan, tree, and Vietnam veterans memorial.

Almost Official. It is not always smooth slithering for measures seeking official state symbol status. Examples include, AB 868 (E. Garcia, 2021) proposed to establish the date shake as the official state milkshake. That bill was approved by the Assembly but never heard in the Senate Governmental Organization Committee. AB 1769 (Voepel, 2018) would have established the California Vaquero Horse as the official state horse. That bill was never heard in the Assembly Governmental Organization Committee.

In 2006, Governor Schwarzenegger terminated the possibility of recognizing Zinfandel as “California's historic wine” contemplated by AB 1253 (Migden, 2006). As introduced, the bill sought to designate that particular varietal as an official state emblem. However, the bill was watered down after much attention and negotiation and instead proposed Zinfandel as historic. Governor Schwarzenegger vetoed the legislation writing, in part, “California wines have inspired authors, artists and Oscar-winning motion pictures. Singling one out for special recognition would be inappropriate.” That bill is yet to be back.

The importance of state emblems in California, as well as in any other state, is their ability to convey the unique identity, values, and history of the region. As such, when proposing new official state emblems, it is crucial to give careful consideration to the emblem's significance to the state and its resonance with both current and future residents. Emblems serve as reminders of the state's heritage and represent the collective consciousness of its people. By recognizing emblems that hold deep meaning and relevance, California can effectively celebrate its past, present, and future, while inspiring residents to appreciate and preserve the state's legacy. It may be important to consider whether, after a certain point, the state's emblem collection turns from distinctive to distractingly decorative.

Slytherin' Down a Slippery Slope? Designating a new state symbol can briefly rattle a media response (whether that be negative or positive), but does not always materially accomplish any particular policy goal such as supporting habitat, research, or protections for the identified symbol. Each time a new symbol sparks a burst of attention, it may lead to a sort of “emblem fatigue” as successive designations produce progressively smaller spikes in public interest and can foster a growing frustration from the general public. Exceptions to the emblematic law of diminishing returns include the bald eagle (United States of America), giant panda (China), and Bengal tiger (India) that have seen natural populations rebound after intense, well-funded recovery campaigns and attention. Alternatively, the California Grizzly Bear – the official state animal – went extinct in 1922 when the last known bear was shot in Tulare County.

Further, a February 1, 2024, article in *CalMatters* titled “A bill for every problem? Why California lawmakers introduce longshots,” cites a 2002 Legislative Analyst's Office estimate that “each bill cost at least \$18,000 to go from introduction to passage: Each bill is given a title and number, goes through analysis by committee staff and is printed out. An updated dollar figure from the legislative analyst was not available, but adjusting for inflation, each bill costs in the neighborhood of \$30,000.”

The article goes on to note that, “[e]ven Jerry Brown, who famously vetoed a bill with the message, ‘Not every human problem deserves a law,’ signed a majority of those sent to his desk while he was governor.”

California's Proposition, 140 approved by the voters in 1990 – among other things – limited the total amount of expenditures allowed by the Legislature. The Legislature may wish to consider at what point establishing additional state

symbols reaches a breaking point in a larger cost-benefit analysis. Alternative avenues currently exist that allow for the Legislature to recognize the myriad iconic animals, places, and things that make California a globally recognized cultural driver it is – without the need for creating new statute. Options may include resolutions which are commonly adopted and allow the Legislature to highlight particularly notable animals, plants, places, or items within the state.

Related/Prior Legislation

SR 12 (Wahab, 2025) recognized January 29, 2025, as the beginning of the Lunar New Year (Year of the Wood Snake), as specified.

AB 581 (Bennett, 2025) establishes the bigberry manzanita (*Arctostaphylos glauca*) as the official state shrub. (Pending on the Senate Floor)

AB 666 (Rogers, 2025) establishes Bigfoot as the official state cryptid. (Held in the Assembly Arts, Entertainment, Sports, & Tourism Committee without Recommendation)

AB 1334 (Wallis, 2025) establishes solar energy as the official state energy. (Pending in the Senate Governmental Organization)

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/28/25)

California Rice Commission (Co-source)

Save The Snakes (Co-source)

Defenders of Wildlife

Grassland Water District

Native Daughters of the Golden West

OPPOSITION: (Verified 8/28/25)

None received

ARGUMENTS IN SUPPORT: In support of this bill, the cosponsors write that, “California’s rice industry has a strong reputation for partnering with organizations like Save the Snakes to create and protect habitat for a number of important species, including the giant garter snake. A recently released report by UC Davis entitled A Conservation Footprint for California Rice states, ‘With the draining and loss of much historical wetland habitat, flooded rice now provides critical

surrogate habitat for the protected Giant Garter snake.’’

ASSEMBLY FLOOR: 75-0, 7/7/25

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

NO VOTE RECORDED: Castillo, Harabedian, Patterson, Sanchez

Prepared by: Brian Duke / G.O. / (916) 651-1530
8/28/25 16:44:11

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