

## **FISH AND GAME CODE - FGC**

### **DIVISION 4. BIRDS AND MAMMALS [3000 - 4904]**

*( Division 4 enacted by Stats. 1957, Ch. 456. )*

#### **PART 3. MAMMALS [3950 - 4904]**

*( Part 3 enacted by Stats. 1957, Ch. 456. )*

#### **CHAPTER 9. Bear [4750 - 4763]**

*( Chapter 9 added by Stats. 1957, Ch. 1916. )*

##### **4750.**

It is unlawful to take any bear with firearm, trap, or bow and arrow without first procuring a tag authorizing the taking of that bear in accordance with this chapter, but no iron or steel-jawed or any type of metal-jawed trap shall be used to take any bear.

*(Amended by Stats. 2007, Ch. 285, Sec. 95. Effective January 1, 2008.)*

##### **4751.**

(a) Any resident of this state, 12 years of age or over, who possesses a valid hunting license, may procure the number of bear tags corresponding to the number of bear that may legally be taken by one person during the current license year, upon payment of a base fee of fifteen dollars (\$15), as adjusted under Section 713, for each bear tag. Fee revenues pursuant to this subdivision shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(b) Any nonresident of this state, 12 years of age or over, who possesses a valid California hunting license, may procure the number of bear tags corresponding to the number of bear that may be legally taken by one person during the current license year upon payment of the base fee of one hundred five dollars (\$105), as adjusted under Section 713, for each bear tag. Fee revenues pursuant to this subdivision shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

*(Amended by Stats. 2010, Ch. 408, Sec. 12. Effective January 1, 2011.)*

##### **4752.**

Bear tags are valid only during that portion of the current hunting license year in which bear may be taken or possessed in any district.

*(Amended by Stats. 2007, Ch. 285, Sec. 97. Effective January 1, 2008.)*

**4753.**

The person to whom a bear tag has been issued shall carry the tag while hunting bear. Upon the killing of any bear, that person shall immediately fill out the tag completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and the date of the kill. One part of the tag shall be immediately attached to the ear of the bear and kept attached during the open season and for 15 days thereafter. The holder of the bear tag shall immediately, upon harvesting a bear, notify the department in a manner specified by the commission. Except as otherwise provided by this code or regulations adopted pursuant to this code, it is unlawful to possess any untagged bear.

*(Amended by Stats. 2007, Ch. 285, Sec. 98. Effective January 1, 2008.)*

**4754.**

(a) Any person who is convicted of a violation of any provision of this code, or of any rule, regulation, or order made or adopted under this code, relating to bears shall forfeit his or her bear tags, and new bear tags shall not be issued to that person during the then current license year for hunting licenses.

(b) A person described in subdivision (a) shall not apply for bear tags for the following license year.

*(Amended by Stats. 2007, Ch. 285, Sec. 99. Effective January 1, 2008.)*

**4755.**

Any person legally killing a bear in this state shall have the tag countersigned by a fish and game commissioner, a person employed in the department, a person designated for this purpose by the commission, or by a notary public, postmaster, postmistress, peace officer or by an officer authorized to administer oaths, before transporting that bear except for the purpose of taking it to the nearest officer authorized to countersign the tag, on the route being followed from the point where the bear is taken.

*(Amended by Stats. 2007, Ch. 285, Sec. 100. Effective January 1, 2008.)*

**4757.**

Any person taking any bear must retain in his possession during the open season thereon, and for 15 days thereafter, the skin and portion of the head bearing the

ears, and must produce the skin and portion of the head upon the demand of any officer authorized to enforce the provisions of this code.

*(Added by Stats. 1957, Ch. 1916.)*

#### **4758.**

(a) Subject to the provisions of this code permitting the sale of domestically raised game mammals, it is unlawful to sell or purchase, or possess for sale, the meat, skin, hide, teeth, claws, or other parts of any bear in this state.

(b) The possession of more than one bear gall bladder is prima facie evidence that the bear gall bladders are possessed for sale.

(c) Nothing in this section prohibits a sale authorized pursuant to Section 3087.

*(Amended by Stats. 1988, Ch. 556, Sec. 2.)*

#### **4759.**

The skin, hide, teeth, claws, or other parts of any bear lawfully taken and possessed for the period provided in Section 4757 may be tanned or utilized for personal use only. Notwithstanding the provisions of Section 4757, the skin, hide, teeth, claws, or other parts of any bear lawfully taken may be donated any time to veterans' organizations or veterans' service committees for use by veterans for rehabilitation purposes. The donor shall obtain a receipt which shall be retained during the period stipulated by Section 4757.

*(Amended by Stats. 1977, Ch. 1208.)*

#### **4760.**

The provisions of this chapter relating to the possession of bear apply to bear taken outside this State and transported into this State.

*(Added by Stats. 1957, Ch. 1916.)*

#### **4763.**

The provisions of this chapter do not apply to the taking of bear which is otherwise authorized to protect livestock, land, or property from damage or threatened damage from bear.

*(Added by Stats. 1957, Ch. 1916.)*