

Date of Hearing: July 1, 2025

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

SB 609 (Laird) – As Amended May 23, 2025

SENATE VOTE: 38-0

SUBJECT: Fish: commercial fishing

SUMMARY: Authorizes the California Department of Fish and Wildlife (CDFW) to publicly release commercial fisher names and fishing license numbers, fish business names and identification numbers, and fishing vessel names and registration numbers to facilitate the accurate reporting of fishing activity, landing receipt, and fish sales, deliveries and transfers reporting. Specifically, **this bill**:

- 1) Makes fish business identification numbers, fish business names, commercial fishing license numbers, commercial fisher names, vessel registration identification numbers, and vessel names contained in landing receipts, reports, or other records filed with the CDFW public records.
- 2) Provides that the information and data relating to catch contained in the landing receipts and records of fishing activities filed with CDFW are to remain confidential and are not public records.
- 3) Deletes the requirement that marine aquaria receivers submit an electronic fish ticket for bringing ashore their own live fish.
- 4) States that as the Legislature finds and declares that the limitation on the access to public records is needed in order to protect the privacy of potentially sensitive or proprietary data of commercial fishers, owners of commercial fishing vessels, and fish businesses, while also collecting necessary data regarding the extent and variety of species fished, it is necessary that commercial fishing receipts, reports, or other records and the information contained in them remain confidential.
- 5) Makes various other technical and conforming changes.

EXISTING LAW:

- 1) Requires commercial fishers, and fish businesses to obtain commercial fishing and fish business licenses [Fish and Game Code (FGC) §§ 7850 *et seq.*, §§ 7880 *et seq.*, §§ 8030 *et seq.*].
- 2) Requires the reporting of all fish sales, deliveries, transfers, and landings using an electronic fish ticket. Requires the ticket to include commercial fisher name and identification number, vessel name and license number, and the name and identification number, as applicable, of the receiver of the fish (FGC §§ 8040 *et seq.*).

- 3) Requires a person engaged in certain activities to obtain a marine aquaria collector's permit or receiver's license (FGC § 8033.1 and § 8597). Further, requires the reporting of marine aquaria landing receipts as required by CDFW (FGC § 8043.1).
- 4) Requires the commercial fishing receipts, reports, or other records reported to CDFW and the information within them to be held confidential and not as public records, except as specifically provided. Requires that reported commercial fishing data be compiled or published as summaries as far as possible in order to not disclose the individual record or business of any person (FGC § 8022).

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** According to the author, "[CDFW] is responsible for ensuring that commercial fishing activity is accurately recorded and reported. However, California's stringent confidentiality laws prevent information about commercial fishers and vessels from being shared with those who do the reporting. This results in frequent data entry errors as proper identifications cannot be referenced, requiring [CDFW] to allocate staff time to correcting basic errors. [This bill] updates California's confidentiality laws to align with those in other West Coast states by designating specific information already considered non confidential by the National Marine Fisheries Service, such as identification numbers and names, to be non-confidential. This will reduce the amount of time that [CDFW] spends correcting errors and will improve the efficiency and accuracy of commercial fishing activity reporting."
- 2) **Background.** Commercial fishers need to have the proper licenses and must report their catch to take part in state and federal fisheries. Fish businesses also have similar requirements—they must be licensed and report how they handle and possess fish.

Confidentiality of commercial fishing records. In California, certain details about commercial fishing operations are considered confidential and cannot be released to the public. This includes the names and ID numbers of fish businesses, the names and fishing license numbers of commercial fishers, and vessel names and ID numbers. California has some of the strongest confidentiality laws for commercial fishing records on the West Coast. For example, both Oregon and Washington do not treat the names of commercial fishers as confidential, and Oregon makes license numbers publicly available. Both California and Oregon require vessel identification numbers to be publicly displayed on the exterior of the vessel.

In general, fishing activity and landing receipt data are treated as proprietary business information and are kept confidential across the U.S. West Coast, with limited exceptions. In California, this data is released to the public only in aggregated form, such as by port. To increase efficiency, over the last several years, both the federal government and the state have implemented electronic reporting of landing receipts and other fishing records which were previously reported on paper. CDFW staff collect and report the data and work to ensure the accuracy of the records.

Unfortunately, the accuracy of the electronic ticket reporting by commercial fishers and fish businesses is compromised by the misidentification of commercial fishers, fish businesses,

and vessels, likely due to the inflexible confidentiality requirements. CDFW processes 45,000–50,000 landing receipts annually and indicates that 50% of the errors identified in these receipts are due to misidentification. CDFW estimates that identifying and correcting these errors takes hundreds of hours of staff time. Because of the confidentiality laws, CDFW is not able to share identifying information with other fishers or businesses for verification purposes, which undermines the overall accuracy of the state’s commercial fishing records. This bill will enable CDFW to use these identifying details to correct erroneous landing receipts.

Marine aquaria landing receipts. Any person engaged in the business of receiving live marine species native to California waters for the purpose of wholesaling or retailing these species for the pet industry or hobby purposes must obtain a Marine Aquaria Receiver’s License. When these species are transferred from the collector to the receiver, the transaction has to be documented with a landing receipt, which is still done on paper. Recent updates to statute, however, inadvertently also required these landing receipts to be reported electronically. This bill corrects that reference.

- 3) **Double referral.** This bill is also referred to the Assembly Judiciary Committee.
- 4) **Related legislation.** SB 500 (McGuire), Chapter 876, Statutes of 2023, among other things addressed provisions in statute related to landing receipts and electronic fish tickets.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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