

REGULATORY TEXT

Section 748.6, Title 14, CCR, will be added as follows:

§ 748.6. Standards for imposing penalty enhancements for illegal take of game with defined characteristics.

(a) For purposes of implementing the penalty enhancements set forth in Fish and Game Code section 12013.3, the following are designated as trophies:

(1) In deer hunting zones A, all B zones, D10, D11, D13, D15, and D16, any deer with four or more points on either antler (excluding eye guards) or with an outside antler spread of at least sixteen inches. In all other deer hunting zones (all X zones, all C zones, and zones D3, D4, D5, D6, D7, D8, D9, D12, D14, D 17, D19), any deer with four or more points on either antler (excluding eye guards) or with an outside antler spread of at least twenty-two inches.

(2) Any elk with five or more points on either antler (including eye guards);

(3) Any pronghorn antelope with a horn that is at least fourteen inches in length;

(4) Any bighorn sheep ram as defined as follows: a male bighorn sheep (*Ovis canadensis*) having at least one horn, the tip of which extends beyond a point in a straight line beginning at the front (anterior) edge of the horn base, and extending downward through the rear (posterior) edge of the visible portion of the eye and continuing downward through the horn. All reference points are based on viewing the ram directly from a 90 degree angle from which the head is facing.

(5) Any wild turkey with either a spur that is at least one inch in length, or a beard (measured by the longest strand of one or more beards) that is eight or more inches.

(b) Definitions.

(1) A point is a projection of the antler at least one inch long and longer than the width of its base.

(2) The outside antler spread is measured between perpendiculars at a right angle to the center line of the skull at the widest part, whether across the main beams or points.

(3) An eye guard is a projection on the lower one-third of the antler.

(4) The length of a pronghorn antelope horn is measured with a flexible measuring tape along the center of the outer curve from the tip of the horn to a point in line with the lowest edge base, using a straight edge to establish the line end.

(5) The length of a wild turkey's beard is the distance from the turkey's skin to the tip of the longest strand of one or more beards, and the length of a spur is measured along the outside curve of the spur.

(c) In determining the monetary value of any fine imposed pursuant to Fish and Game Code section 12013.3, courts should consider the totality of the circumstances, including but not limited to, the degree to which the standards set forth in subsection (a) are exceeded, and any prior violations of the defendant.

Note: Authority cited: Section 12013.3, Fish and Game Code. Reference: Section 12013.3, Fish and Game Code.