

Date of Hearing: March 29, 2023

ASSEMBLY COMMITTEE ON AGRICULTURE  
Robert Rivas, Chair  
AB 1141 Megan Dahle – As Amended March 23, 2023

**SUBJECT:** Agricultural lands: agricultural and livestock producers: agricultural pass program: disaster access to farm lands

**SUMMARY:** This bill would change the name of the livestock pass program to the agricultural (AG) pass program and make conforming changes, as specified. Specifically, *this bill*:

- 1) Changes livestock pass program to a more expansive AG pass program.
- 2) Defines qualified agricultural producers, for the purpose of the AG pass program to mean a commercial agricultural producer, as determined by the county agency, who has been certified as successfully completing the AG pass program curriculum.
- 3) Require the State Fire Marshal, with the involvement of the Statewide Training and Education Advisory Committee, to develop a curriculum for AG producers eligible for the AG pass program by July 1, 2024.

**EXISTING LAW:**

- 1) Allow, upon the approval of a county board of supervisors, a county agricultural commissioner, or other designated agency, the establishment within the county a livestock pass program for the purpose allowing ranchers to access their property in a disaster emergency. *Food and AG Code (FAC) 2350*
- 2) Provides that access to specified areas may only be granted by the incident commander, a law enforcement official having jurisdiction, or their designee during a disaster, as specified. *FAC 2350*
- 3) Required, on or before January 1, 2023, the State Fire Marshal to develop a curriculum for livestock producers eligible for this livestock pass program, as specified. *Health and Safety Code 13105.6*

**FISCAL EFFECT:** Unknown

**COMMENTS:** The purpose of a county-based AG Pass program is to identify owner-operators of commercial farms or ranches to firefighting personnel, California Highway Patrol officers, sheriff's deputies, and other emergency personnel. Possession of a AG Pass during a wildfire or similar disaster allows the individual access to areas that may otherwise be restricted to the public so that the agriculturalist can 1) protect or care for livestock assets such as feeding, watering, and transporting livestock, 2) water fields, protect infrastructure or 3) provide auxiliary support to emergency personnel such as identification of access roads and water points.

According to the author, lack of timely access to a farm or ranch during a wildfire or other emergency incident can be devastating to livestock and force farmers and ranchers to make truly difficult decisions. In 2020, one rancher lost hundreds of cattle to the Bear Fire (part of the North

Complex Fire) as he struggled to gain access to his rangelands. Many farmers and ranchers have ignored evacuation orders, knowing that once they leave they may not be able to gain return access to care for their animals. Others have been evacuated only to eventually make the difficult choice to bypass roadblocks to access their farm or ranch, risking their safety and a misdemeanor charge to ensure the welfare of their animals. AB 1103 (2021-22) created a standardized training and framework for a livestock pass program (Livestock Pass), allowing ranchers to access their property in an emergency to save their livestock and lands. AB 1141 simply seeks to extend the existing program to farmers/agriculture.

The bill does not affect the portion of current livestock law that protects workers safety and peace of mind to insure employees will not feel pressured to access lands or keep working when an evacuation order is in place.

The following counties have implemented Livestock pass programs or had a prior AG pass program:

Amador	Napa	Shasta
Glenn	Nevada	Siskiyou
Humboldt	Placer	Sonoma
Mariposa	Plumas	Stanislaus
Mendocino	San Diego	Tulare
Modoc	Santa Barbara	Ventura
Monterey	Santa Clara	Yuba

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

**Analysis Prepared by:** Victor Francovich / AGRI. / (916) 319-2084