

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1936 Session of
1995

INTRODUCED BY GODSHALL, STABACK, READSHAW, NAILOR, HENNESSEY,
STISH, MILLER, HANNA, BAKER, STEELMAN, HERSHEY, HESS, SURRA,
BELFANTI, LAUGHLIN AND HALUSKA, JUNE 29, 1995

REFERRED TO COMMITTEE ON GAME AND FISHERIES, JUNE 29, 1995

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, providing for damages caused by coyotes.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Chapter 5 of Title 34 of the Pennsylvania
6 Consolidated Statutes is amended by adding a subchapter to read:

7 CHAPTER 5

8 FISCAL AFFAIRS

9 * * *

10 SUBCHAPTER F

11 COYOTE DAMAGE CLAIMS

12 Sec.

13 571. Definitions.

14 572. Damages caused by coyotes; complaints; liability.

15 573. Investigation.

16 § 571. Definitions.

17 The following words and phrases when used in this subchapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Coyote." The genus and species known as *canis latrans*.

4 "Domestic animal." Any animal maintained in captivity,
5 including, but not limited to, any equine animal or bovine
6 animal, sheep, goat, pig, dog, cat, poultry, bird, fowl or any
7 wild or semiwild animal.

8 § 572. Damages caused by coyotes; complaints; liability.

9 Whenever any person sustains any loss by coyote to any
10 domestic animal or to game birds raised in captivity and while
11 confined within a field or other enclosure, provided that the
12 enclosure is adequate for the purpose intended, such person or
13 his agent or attorney may, immediately after the damage was
14 done, complain to an officer of the commission and may make
15 application to the commission for reimbursement of such loss or
16 damage. The complaint shall be in writing, shall be signed by
17 the person making the complaint and shall state when, where and
18 how the damage was done. Upon receipt of such notice, an officer
19 of the commission shall at once examine the place where the
20 alleged loss was sustained and the domestic animal or domestic
21 game bird injured or killed. An officer of the commission may
22 examine under oath or affirmation any witness called before him.
23 After making diligent inquiry in relation to such claim, the
24 investigating officer shall determine whether any damage has
25 been sustained and the amount of the damage. If the owner of the
26 domestic animal or domestic game bird does not agree as to the
27 amount of damage allowed by the appraiser, the owner requesting
28 the appraisal and the appraiser may appoint a disinterested
29 qualified citizen to assist in determining the amount of damage
30 sustained. For such services, the said disinterested citizen

1 shall receive appropriate compensation which shall be paid by
2 the owner requesting the appraisal. There shall be a maximum
3 allowable claim loss on each occurrence of \$10,000 per animal;
4 however, in no instance shall the payment exceed 90% of the
5 appraised value. All claims shall be paid from the Game Fund;
6 however, in no instance shall the sum total of paid claims for
7 the purpose of this section exceed \$20,000 per year. The
8 commission shall have the power to promulgate such rules and
9 regulations as may be necessary to implement this section.

10 § 573. Investigation.

11 The commission shall cause an investigation to be undertaken
12 within 48 hours after it receives a complaint alleging damages
13 by coyotes as provided for in section 572 (relating to damages
14 caused by coyotes; complaints; liability).

15 Section 2. This act shall take effect in 60 days.