

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 648 Session of 2013

INTRODUCED BY ALLOWAY, BAKER, FOLMER, WAUGH, BROWNE, SCHWANK, WHITE, RAFFERTY, MENSCH, YUDICHAK, BRUBAKER, McILHINNEY, SOLOBAY, SCARNATI AND FERLO, MARCH 13, 2013

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 15, 2013

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in enforcement, further providing for liability for
3 actions of others.

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

6 Section 1. Section 924 of Title 34 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 924. Liability for actions of others.

9 (a) General rule.--A person who causes an unlawful act to be
10 done by another person which, if directly performed by the
11 person causing the unlawful act would be in violation of this
12 title, is punishable as a principal.

13 (b) Exclusion.

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14 (1) A landowner who allows or grants permission to
15 another person to take game or wildlife on the landowner's
16 property shall not be liable under this section for any
17 unlawful acts committed by that person so long as no fee,

1 ~~payment or gratuity is paid.~~

2 ~~(2) Nothing in this section shall be construed to impose~~  
3 ~~liability on any landowner for allowing or granting~~  
4 ~~permission to take game or wildlife on the landowner's~~  
5 ~~property so long as no fee, payment or gratuity is paid.~~

6 (B) EXCLUSION.--A LANDOWNER WHO ALLOWS OR GRANTS PERMISSION <--  
7 TO A PERSON TO TAKE GAME OR WILDLIFE ON THE LANDOWNER'S PROPERTY  
8 SHALL NOT BE LIABLE UNDER THIS SECTION FOR AN UNLAWFUL ACT  
9 COMMITTED BY THAT PERSON, IF ALL OF THE FOLLOWING APPLY: <--

10 ~~(1) NO PAYMENT OR GRATUITY IS REQUIRED TO BE PAID TO THE~~  
11 ~~LANDOWNER.~~

12 ~~(2) THE LANDOWNER DOES NOT WILLFULLY AID, ABET, ASSIST,~~  
13 ~~ATTEMPT OR CONSPIRE IN THE COMMISSION OF THE UNLAWFUL ACT~~  
14 ~~UNLESS THE LANDOWNER WILLFULLY AIDS, ABETS, ASSISTS, ATTEMPTS~~ <--  
15 ~~OR CONSPIRES IN THE COMMISSION OF THE UNLAWFUL ACT.~~

16 Section 2. This act shall take effect immediately.