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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 686

Session of  
1983

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INTRODUCED BY SCHEETZ, LETTERMAN, W. W. FOSTER, BRANDT, SCHULER,  
HERSHEY, E. Z. TAYLOR, ALDERETTE, AFFLERBACH, MERRY, FARGO,  
HONAMAN, VROON, BOWSER, PISTELLA AND JAROLIN, APRIL 11, 1983

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REFERRED TO COMMITTEE ON GAME AND FISHERIES, APRIL 11, 1983

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AN ACT

1 Amending the act of January 3, 1937 (P.L.1225, No.316), entitled  
2 "An act concerning game and other wild birds and wild  
3 animals; and amending, revising, consolidating, and changing  
4 the law relating thereto," increasing the penalty for  
5 property damage; providing for civil liability for property  
6 damage; prohibiting hunting or trapping in unharvested  
7 fields; and imposing a penalty.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 801 of the act of January 3, 1937  
11 (P.L.1225, No.316), known as The Game Law, is amended to read:

12 Section 801. Property Damage Prohibited.--It is unlawful for  
13 any person while hunting or trapping for wild birds or animals  
14 of any kind to cause damage, or assist in causing damage, or  
15 injury, in any manner whatsoever, to either real or personal  
16 property of any kind, or to leave gates or bars open, or to  
17 break down, destroy or injure fences, or to tear down or scatter  
18 rail, post, wood or stone piles, or through carelessness or  
19 negligence to injure livestock of any kind.

20 The foregoing provision shall not be construed to prevent the

1 removal of a mortally wounded bird or animal from its place of  
2 refuge in a rail, post, wood, or stone pile or fence, if  
3 permission has first been obtained from the owner or person in  
4 charge of such property, and provided such property is restored  
5 to the condition in which it was found.

6 Any person violating any of the provisions of this section  
7 shall, upon conviction, be sentenced to pay a fine of [twenty-  
8 five dollars] fifty dollars and costs of prosecution.

9 Any person who shall cause damage to real or personal  
10 property, including crops of any kind shall, upon conviction, be  
11 liable to pay to the one in control of the property the sum  
12 equal to the amount of the damages as shall be determined by a  
13 court of competent jurisdiction. The court may appoint a  
14 competent appraiser to determine the amount of such damage. The  
15 amount of the damage determined finally by the court shall be  
16 assessed against the defendant and paid to the court for  
17 disposition. The court shall deliver the amount collected to the  
18 person having legal control over the land where the damage  
19 occurred. The court appointed appraiser shall be entitled to a  
20 reasonable fee for services rendered which shall be assessed  
21 against the defendant as additional costs for delivery to the  
22 appraiser by the court.

23 Section 2. The act is amended by adding a section to read:

24 Section 804. Hunting in Unharvested Fields.--It shall be  
25 unlawful for any person, while on the property of others, to  
26 hunt or trap in or upon unharvested buckwheat, corn, sorghum or  
27 soybean fields without the permission of the owner or person in  
28 charge of such property.

29 Any person violating any of the provisions of this section  
30 shall, upon conviction, be sentenced to pay a fine of one

1 hundred dollars and costs of prosecution and, in addition  
2 thereto, may be denied the right to hunt or trap anywhere within  
3 this Commonwealth, with or without a license, for a period of  
4 one year.

5       Section 3. The Pennsylvania Game Commission shall be  
6 required to prominently publish the provisions of this act in  
7 its publications and to issue such other notices as it  
8 determines to be necessary.

9       Section 4. This act shall take effect in 90 days.