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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1809 Session of  
2013

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INTRODUCED BY AUMENT, GODSHALL, COHEN, BENNINGHOFF, SWANGER,  
SANKEY, MURT, C. HARRIS, EVERETT AND SCHLEGEL CULVER,  
OCTOBER 29, 2013

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REFERRED TO COMMITTEE ON GAME AND FISHERIES, OCTOBER 29, 2013

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AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated  
2 Statutes, further providing for trespass on private property  
3 while hunting.

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

6 Section 1. Section 2314 of Title 34 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 2314. Trespass on private property while hunting.

9 [(a) General rule.--Any person who while violating any  
10 provision of this title or any regulations promulgated under  
11 this title and who in addition is found to be trespassing as  
12 defined in 18 Pa.C.S. § 3503 (relating to criminal trespass)  
13 shall be in violation of this section.

14 (b) Penalty.--A violation of this section:

15 (1) A violation of this section is a summary offense of  
16 the fifth degree.

17 (2) A second or subsequent violation of this section  
18 within a seven-year period is a summary offense of the fifth

1 degree and may result in forfeiture of the privilege to hunt  
2 or take game or wildlife anywhere within this Commonwealth  
3 for a period of one year.]

4 (a) General rule.--A person, while engaged in hunting or  
5 furtaking, commits an offense if knowing that the person is not  
6 licensed or privileged to do so the person:

7 (1) enters or remains on any land of another without  
8 authorization to do so, when the land is posted in a manner  
9 prescribed by law or reasonably likely to come to the  
10 person's attention or is fenced or enclosed in a manner  
11 manifestly designed to exclude trespassers; or

12 (2) enters or remains on any land of another without  
13 authorization and defies an order not to enter or to leave  
14 that has been personally communicated to the person by the  
15 owner of the land or other authorized person.

16 (b) Penalty.--An offense under this subsection shall be  
17 graded as follows:

18 (1) A person who violates subsection (a)(1) commits a  
19 misdemeanor of the third degree and shall, upon conviction,  
20 be sentenced to imprisonment for not more than one year and a  
21 fine of not less than \$250.

22 (2) A person who violates subsection (a)(2) commits a  
23 misdemeanor of the second degree and shall, upon conviction,  
24 be sentenced to imprisonment for not more than two years and  
25 a fine of not less than \$500 nor more than \$5,000.

26 (3) Additional penalties.--A second or subsequent  
27 violation of this section within a seven-year period may  
28 result in forfeiture of the privilege to hunt or take game or  
29 wildlife anywhere within this Commonwealth for a period of  
30 one year.

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