

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1223** Session of  
1997

INTRODUCED BY GODSHALL, CIVERA, YOUNGBLOOD, ROSS, SERAFINI,  
BENNINGHOFF, LYNCH, LEH, CLARK, TRAVAGLIO, BUNT, OLASZ, MELIO  
AND RAMOS, APRIL 8, 1997

REFERRED TO COMMITTEE ON GAME AND FISHERIES, APRIL 8, 1997

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated  
2 Statutes, deleting provisions relating to acknowledgment of  
3 guilt and receipt for payment.

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

6 Section 1. The definitions of "acknowledgment of guilt" and  
7 "convicted" in section 102 of Title 34 of the Pennsylvania  
8 Consolidated Statutes are amended to read:

9 § 102. Definitions.

10 Subject to additional definitions contained in subsequent  
11 provisions of this title which are applicable to specific  
12 provisions of this title, the following words and phrases when  
13 used in this title shall have the meanings given to them in this  
14 section unless the context clearly indicates otherwise:

15 ["Acknowledgment of guilt." A written statement admitting  
16 guilt, given by an accused individual to an officer or deputy  
17 officer along with the payment of a fine, which statement shall  
18 have the same force and effect as though the person executing it

1 had a hearing before proper authority and been convicted of the  
2 offense of which he is accused.]

3 \* \* \*

4 "Convicted." The finding of guilty of a person charged with  
5 an offense after a hearing before a qualified authority. [The  
6 execution of an "acknowledgment of guilt" or a] A "plea of  
7 guilty" shall have the same effect.

8 \* \* \*

9 Section 2. Section 926 of Title 34 is repealed.

10 Section 3. Sections 931(a), 932, 2741(b) and 2742 of Title  
11 34 are amended to read:

12 § 931. Arrest of nonresident.

13 (a) General rule.--Upon the arrest, apprehension or citation  
14 of a nonresident of this Commonwealth for any violation of this  
15 title that is a summary offense, any officer whose duty it is to  
16 enforce the provisions of this title shall[, unless the  
17 defendant elects to acknowledge guilt in accordance with section  
18 926 (relating to acknowledgment of guilt and receipt for  
19 payment),] escort the defendant to the appropriate district  
20 justice for a hearing, posting of bond or payment of the  
21 applicable fine and costs, unless the defendant chooses to place  
22 the amount of the applicable fine and costs in a stamped  
23 envelope addressed to the appropriate district justice and mails  
24 the envelope in the presence of the officer who shall issue the  
25 defendant a citation.

26 \* \* \*

27 § 932. Determination of second or subsequent convictions.

28 Any person convicted or pleading guilty [or signing an  
29 acknowledgment of guilt] under any provisions of this title who,  
30 within the past two years, was convicted or pleaded guilty or

1 signed an acknowledgment of guilt for violating any of the  
2 provisions of this title or the former laws relating to game or  
3 wildlife then in force shall be sentenced under this title as a  
4 second or subsequent offender.

5 § 2741. Denial or revocation of licenses.

6 \* \* \*

7 (b) Violations.--In addition to any penalty and costs  
8 imposed by this title, the commission may revoke any hunting or  
9 furtaking license and deny any person the privilege to secure a  
10 license or to hunt or take furbearers anywhere in this  
11 Commonwealth, with or without a license, if the licensee or  
12 person:

13 (1) Has [either] been convicted [or signed an  
14 acknowledgment of guilt] of violating any of the provisions  
15 of this title for such periods as are specified in this  
16 subchapter.

17 (2) Has been accused of having violated any of the  
18 provisions of Chapter 25 (relating to protection of property  
19 and persons) even though such person has not been convicted  
20 of a violation of that chapter.

21 \* \* \*

22 § 2742. Period of revocation.

23 (a) First offense.--Except as otherwise provided, for the  
24 first offense any person convicted [or having signed an  
25 acknowledgment of guilt] of violating any of the provisions of  
26 this title may be denied the privilege to hunt or take wildlife  
27 anywhere in this Commonwealth, with or without a license, for a  
28 period not to exceed three years as the commission determines.

29 (b) Second or subsequent offense.--Except as otherwise  
30 provided, any person convicted [or having signed an

1 acknowledgment of guilt] of a second or subsequent offense of  
2 violating any of the provisions of this title may be denied the  
3 privilege to hunt or take game or wildlife anywhere in this  
4 Commonwealth, with or without a license, for such period as the  
5 commission determines.

6 Section 4. This act shall take effect in 60 days.