
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 856 Session of
2005

INTRODUCED BY GILLESPIE, B. SMITH, ARMSTRONG, CALTAGIRONE,
CAPPELLI, FLEAGLE, HALUSKA, HENNESSEY, McNAUGHTON, PHILLIPS,
READSHAW, REICHLEY, ROHRER, STERN, BALDWIN, PICKETT,
BENNINGHOFF, SHANER AND DeWEESE, MARCH 14, 2005

REFERRED TO COMMITTEE ON GAME AND FISHERIES, MARCH 14, 2005

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, further providing for unlawful acts concerning
3 licenses.

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

6 Section 1. Section 2711 of Title 34 of the Pennsylvania
7 Consolidated Statutes, amended November 30, 2004 (P.L.1618,
8 No.207), is amended to read:

9 § 2711. Unlawful acts concerning licenses.

10 (a) General rule.--Except as otherwise provided in this
11 title, it is unlawful for any person to:

12 (1) Hunt or take any game or wildlife by any means or
13 manner or device, including the use of dogs, without first
14 securing and personally signing [and displaying] the required
15 license.

16 (2) Procure a license in a name other than the person's
17 legal name, furnish an address other than his legal place of

1 residence and domicile or make any false or misleading
2 statement whatsoever in securing a license.

3 (3) Lend or transfer in any manner whatsoever a license
4 or game or wildlife kill tag to any other person regardless
5 of the purpose.

6 (4) Issue or aid, assist or conspire, either for that
7 person or any other person, in procuring any hunting or
8 furtaking license for which that person is not legally
9 entitled thereto.

10 (5) Possess while hunting or taking game or wildlife or
11 going to or from hunting or taking game or wildlife any
12 report card, license tag, license stamp or game or wildlife
13 kill tag belonging to another.

14 (6) Except as provided under section 2705 (relating to
15 classes of licenses), receive a hunting or furtaking license
16 under any circumstances if under 12 years of age.

17 (7) Receive a hunting or furtaking license without
18 presenting a written request executed by a parent or legally
19 constituted guardian if under 17 years of age.

20 (8) Use firearms of any kind or a bow and arrow for the
21 purpose of hunting any game or wildlife or attempting to take
22 or kill any game or wildlife by hunting or trapping if under
23 12 years of age or when hunting or trapping any game or
24 wildlife or attempting to hunt or trap any game or wildlife
25 if between 12 and 14 years of age, unless accompanied by a
26 parent or a person 18 years of age or older serving in loco
27 parentis or as guardian or some other family member 18 years
28 of age or older or when hunting if between 14 and 16 years of
29 age, unless accompanied by a person 18 years of age or older.

30 For the purpose of this paragraph "accompany" means close

1 enough that verbal instructions and guidance can be easily
2 understood. The provisions of this paragraph shall not apply
3 to section 2363 (relating to trapping exception for certain
4 persons).

5 [(9) Remove or cause to be removed or permit the removal
6 of any hunting or furtaking license required by this title
7 from the place where the license is required to be displayed
8 for the purpose of concealing the identity of that person or
9 to resort to any other means or manner to conceal the
10 identity of that person.]

11 (10) Hunt or take, or aid, assist or attempt to hunt or
12 take, furbearers or take any game or wildlife anywhere in
13 this Commonwealth, either with or without a license, or make
14 application, receive or attempt or conspire to receive any
15 license required by this chapter, during any period that
16 these privileges have been denied or withdrawn by this title,
17 by the director or by a magisterial district judge or court.

18 (11) Conspire to or duplicate, reproduce, alter, forge
19 or counterfeit any permit, license, tag or stamp required by
20 this title.

21 (12) While exercising any of the privileges granted by
22 any license provided for in this title, refuse or fail to
23 satisfactorily provide positive identification to any
24 landowner upon whose land that person may be occupying or to
25 any officer whose duty it is to enforce this title.

26 (13) Violate any regulations promulgated under the
27 authority of this subchapter.

28 (b) Penalties.--A violation of this subchapter relating to:

29 (1) Hunting by a nonresident without a valid license or
30 licenses required by this title is a summary offense of the

1 fourth degree.

2 (2) Furtaking by a nonresident without a valid furtaking
3 license or licenses required by this title is a summary
4 offense of the second degree.

5 (3) Hunting or furtaking by a resident without a valid
6 license or licenses required by this title is a summary
7 offense of the fifth degree.

8 (4) Subsection (a)(1) insofar as it relates to signing
9 [or displaying] a license is a summary offense of the eighth
10 degree.

11 (5) Subsection (a)(2), (3), (4)[, (5) or (9)] or (5) is
12 a summary offense of the fifth degree.

13 (6) Subsection (a)(6), (7) or (8) is a summary offense
14 of the seventh degree.

15 (7) Subsection (a)(11) is a summary offense of the third
16 degree. In addition to the imposition of any penalty, a
17 convicted violator shall incur a five-year mandatory
18 revocation of the privilege to hunt or trap anywhere in this
19 Commonwealth.

20 (8) Any of the other provisions of this subchapter or
21 the regulations promulgated thereunder is a summary offense
22 of the fifth degree.

23 (c) Separate offenses.--Each day of violation or each
24 illegal act constitutes a separate offense.

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