

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 446 Session of 2019

INTRODUCED BY B. MILLER, DIAMOND, BERNSTINE, ZIMMERMAN, HILL-
EVANS, JOZWIAK, GOODMAN, FREEMAN, RADER, SCHEMEL, DeLUCA,
HERSHEY, SANKEY, EVERETT AND IRVIN, FEBRUARY 11, 2019

REFERRED TO COMMITTEE ON GAME AND FISHERIES, FEBRUARY 11, 2019

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in hunting and furtaking, further providing for the
3 offense of trespass on private property 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 section shall be graded
17 as follows:

18 (1) A person who violates subsection (a)(1) commits a
19 summary offense of the third degree.

20 (2) A person who violates subsection (a)(2) commits a
21 misdemeanor.

22 (3) A person who commits a second or subsequent
23 violation of this section within a seven-year period commits
24 a misdemeanor, and the second or subsequent violation shall
25 result in forfeiture of the privilege to hunt or take game or
26 wildlife anywhere within this Commonwealth for a period of
27 one year.

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