

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 166

Session of 1983

INTRODUCED BY LLOYD, BELFANTI, PRATT, FARGO, MERRY, RYBAK, NOYE, PISTELLA, MORRIS, DeLUCA, D. R. WRIGHT, MAYERNIK, BALDWIN, TELEK, WOZNIAK, PERZEL AND McINTYRE, FEBRUARY 8, 1983

AS REPORTED FROM COMMITTEE ON GAME AND FISHERIES, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 25, 1983

AN ACT

1 Amending the act of June 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," FURTHER PROVIDING FOR THE
5 DISTURBING OF TRAPS; AND providing penalties for harassment
6 of game WILDLIFE.

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

9 SECTION 1. SECTION 607 OF THE ACT OF JUNE 3, 1937 (P.L.1225,
10 NO.316), KNOWN AS THE GAME LAW, AMENDED MAY 23, 1947 (P.L.317,
11 NO.139), IS AMENDED TO READ:

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12 SECTION 607. DISTURBING TRAPS OF ANOTHER.--[IT] EXCEPT AS
13 HEREAFTER PROVIDED, IT IS UNLAWFUL FOR ANY PERSON TO DISTURB THE
14 TRAPS OF ANOTHER, OR TO TAKE A FUR-BEARING ANIMAL, RACCOON OR
15 PREDATOR FROM THE TRAPS OF ANOTHER, UNLESS SPECIFICALLY
16 AUTHORIZED BY THE OWNER OF THE TRAP.

17 EXCEPT AS OTHERWISE PROVIDED BY LAW, AND UNLESS TRAPS ARE SET
18 ON PRIVATE PROPERTY WITHOUT THE PERMISSION OF THE OWNERS OR
19 OCCUPIERS OF THE PROPERTY, IT IS UNLAWFUL FOR ANY PERSON TO

1 TAMPER WITH, DISTURB, MUTILATE, DESTROY OR REMOVE ANY TRAP OR
2 OTHER DEVICE SET BY AN OFFICER OR ANY OTHER AGENT OF THE
3 COMMISSION FOR THE PURPOSE OF TRAPPING WILD ANIMALS OR BIRDS, OR
4 TO INTERFERE IN ANY MANNER WHATSOEVER WITH SUCH TRAPPING
5 OPERATION, OR TO REMOVE OR ATTEMPT TO REMOVE ANY ANIMAL OR BIRD
6 FROM SUCH TRAP OR DEVICE.

7 WHEN TRAPS ARE SET ON PRIVATE PROPERTY WITHOUT THE PERMISSION
8 OF THE LANDOWNER, LESSEES OR THEIR EMPLOYEES, THE OWNER, LESSEES
9 OR THEIR EMPLOYEES MAY REMOVE THE TRAPS AND NOTIFY AN OFFICER OF
10 THE COMMISSION WITHIN FORTY-EIGHT HOURS. ALL TRAPS REMOVED SHALL
11 BE TURNED OVER TO A COMMISSION OFFICER. THE OFFICER SHALL NOTIFY
12 THE TRAPPER WITHIN TEN DAYS TO CLAIM THE TRAPS. IF THE TRAPS ARE
13 NOT CLAIMED WITHIN THIRTY DAYS FOLLOWING NOTIFICATION OR THE
14 TRAPPER CANNOT BE LOCATED, THE TRAPS SHALL BE FORFEITED TO THE
15 COMMISSION.

16 Section 4 2. The act of ~~June 3, 1937 (P.L.1225, No.316),~~ <—
17 ~~known as The Game Law,~~ is amended by adding a section to read:

18 Section 732. Harassment of Game WILDLIFE.--(a) Any person <—
19 is guilty of an unlawful act if he harasses, drives, or disturbs
20 any game WILDLIFE with the intent of disrupting the lawful <—
21 taking, killing, or wounding or the attempted lawful taking,
22 killing, or wounding of any game WILDLIFE. Such a person shall, <—
23 upon conviction, be sentenced to a fine of up to five hundred
24 dollars (\$500), imprisonment for up to thirty (30) days, or
25 both.

26 (b) This section shall not apply to any owner of land, or
27 his agent, who takes any action on that land to protect the
28 land, any building or other facilities, or any crops or other
29 vegetation from damage by any game WILDLIFE. This section shall <—
30 also not apply to any member of the commission, the director of

1 the commission, any lawfully qualified representative of the
2 commission, or any other law enforcement officer engaged in any
3 otherwise lawful action.

4 Section 2 3. This act shall take effect in 60 days.

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