

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 774 Session of
2007

INTRODUCED BY MCILHINNEY, FONTANA AND WASHINGTON, APRIL 20, 2007

REFERRED TO GAME AND FISHERIES, APRIL 20, 2007

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, prohibiting hunting in and around game feeders and
3 game feeding areas.

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

6 Section 1. Section 2308(a)(8) of Title 34 of the
7 Pennsylvania Consolidated Statutes is amended and the section is
8 amended by adding a subsection to read:

9 § 2308. Unlawful devices and methods.

10 (a) General rule.--Except as otherwise provided in this
11 title, it is unlawful for any person to hunt or aid, abet,
12 assist or conspire to hunt any game or wildlife through the use
13 of:

14 * * *

15 (8) Any artificial or natural bait, hay, grain, fruit,
16 nut, salt, chemical, mineral or other food as an enticement
17 for game or wildlife, regardless of kind and quantity, or
18 take advantage of any such area or food or bait prior to 30

1 days after the removal of such material and its residue.
2 Nothing contained in this [subsection] paragraph shall
3 pertain to normal or accepted farming, habitat management
4 practices, oil and gas drilling, mining, forest management
5 activities or other legitimate commercial or industrial
6 practices. Upon discovery of such baited areas, whether
7 prosecution is contemplated or not, the commission may cause
8 a reasonable area surrounding the enticement to be posted
9 against hunting or taking game or wildlife. The posters shall
10 remain for 30 days after complete removal of the bait.

11 * * *

12 (a.1) Game feeders and feeding areas.--

13 (1) Except as otherwise provided in this title and in
14 areas designated by special regulations where baiting is
15 already allowed, it shall be unlawful for any person to hunt
16 any game or wildlife within 150 yards of any game feeder or
17 feeding areas where any natural hay, grass, browse, grain,
18 fruit, nut, salt, chemical, mineral, other food or any
19 combination thereof is used for feeding purposes.

20 (2) Any violation of this subsection must require proof
21 that the alleged violator knew or should have known of the
22 presence of the game feeder or feeding area.

23 (3) Movement through a feeding area or past a feeder to
24 an area outside of the parameters of paragraph (1) shall not
25 be construed as an illegal hunting activity.

26 (4) Nothing contained in this subsection shall pertain
27 to normal or accepted farming, habitat management practices,
28 oil and gas drilling, mining, forest management activities or
29 other legitimate commercial or industrial practices.

30 * * *

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