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 THE GENERAL ASSEMBLY OF PENNSYLVANIA
 

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# HOUSE BILL

No. **891** Session of  
2013

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INTRODUCED BY PEIFER, HENNESSEY, KILLION, MILLARD, D. COSTA,  
COHEN, HESS, MOUL, SWANGER, FLECK, GINGRICH, CALTAGIRONE,  
C. HARRIS, DENLINGER, R. MILLER AND CAUSER, MARCH 11, 2013

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SENATOR ALLOWAY, GAME AND FISHERIES, IN SENATE, AS AMENDED, JUNE  
4, 2013

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## AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated  
2 Statutes, further providing for ~~permitted acts~~ VIOLATIONS. <--

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

5 ~~Section 1. Section 2362 of Title 34 of the Pennsylvania~~ <--  
6 ~~Consolidated Statutes is amended by adding a paragraph to read:~~  
7 ~~§ 2362. Permitted acts.~~

8 ~~Nothing contained in this subchapter shall prevent:~~

9 \* \* \*

10 ~~(5) The checking of traps remotely by electronic means~~  
11 ~~by a properly permitted nuisance wildlife control operator.~~

12 SECTION 1. SECTION 2908(A) OF TITLE 34 OF THE PENNSYLVANIA <--  
13 CONSOLIDATED STATUTES IS AMENDED AND THE SECTION IS AMENDED BY  
14 ADDING A SUBSECTION TO READ:

15 § 2908. VIOLATIONS.

16 (A) GENERAL RULE.--[IT] EXCEPT AS PROVIDED FOR IN SUBSECTION

1 (A.1), IT IS UNLAWFUL TO:

2 (1) EXERCISE ANY OF THE PRIVILEGES GRANTED BY A PERMIT  
3 ISSUED UNDER THIS TITLE WITHOUT FIRST SECURING THE REQUIRED  
4 PERMIT.

5 (2) FAIL TO CARRY, SHOW OR DISPLAY THE PERMIT TO ANY  
6 OFFICER WHOSE DUTY IT IS TO ENFORCE THIS TITLE WHILE  
7 EXERCISING ANY PRIVILEGE GRANTED BY THE PERMIT.

8 (3) AID, ASSIST OR CONSPIRE WITH ANY PERSON CONTRARY TO  
9 THIS CHAPTER OR REGULATIONS PROMULGATED THEREUNDER.

10 (4) MAKE ANY FALSE OR MISLEADING STATEMENT ON ANY  
11 APPLICATION OR ANY REQUIRED REPORT.

12 (5) FAIL TO SUBMIT ANY REPORT WHEN REQUIRED OR TO KEEP  
13 ACCURATE RECORDS.

14 (6) VIOLATE ANY OTHER PROVISIONS OF THIS SUBCHAPTER OR  
15 REGULATIONS ADOPTED THEREUNDER.

16 (A.1) EXCEPTION.--NOTWITHSTANDING ANY OTHER PROVISION OF  
17 THIS TITLE, IT SHALL NOT BE UNLAWFUL FOR A PROPERLY PERMITTED  
18 NUISANCE WILDLIFE CONTROL OPERATOR TO USE ELECTRONIC MEANS TO  
19 CHECK ON THE STATUS OF A TRAP WHILE ACTING PURSUANT TO THE  
20 AUTHORITY GRANTED UNDER THE PERMIT. IF THE ELECTRONIC DEVICE  
21 SHALL MALFUNCTION OR IN ANY WAY CEASE TO PROVIDE THE PERMIT  
22 HOLDER WITH REAL-TIME UPDATES ON THE TRAP, THE PERMIT HOLDER  
23 SHALL BE REQUIRED TO PHYSICALLY CHECK THE TRAP WITHIN 24 HOURS.

24 \* \* \*

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