

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 147 Session of 2019

INTRODUCED BY LAUGHLIN, BREWSTER, STREET AND YAW, FEBRUARY 1, 2019

AS AMENDED ON SECOND CONSIDERATION, JUNE 25, 2019

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in Pennsylvania Game Commission, further providing
3 for accountability; and, in hunting and furtaking, further
4 providing for hunting on Sunday prohibited, providing for <--
5 hunting on Sunday and further providing AND for trespass on <--
6 private property while hunting.

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

9 Section 1. Sections 328 and 2303 of Title 34 of the <--
10 Pennsylvania Consolidated Statutes are amended by adding-
11 subsections to read:

12 SECTION 1. SECTION 328 OF TITLE 34 OF THE PENNSYLVANIA <--
13 CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBSECTION TO READ:

14 § 328. Accountability.

15 * * *

16 (f) Financial analysis.--

17 (1) Within 180 days of the effective date of this
18 subsection, the Legislative Budget and Finance Committee
19 shall prepare a financial analysis of fees, fines, penalties,
20 royalties, Federal and State appropriations and other sources

1 of revenue received by the commission and of expenditures,
2 including annual operating costs, investments, land purchases
3 and capital projects to carry out the financial analysis
4 under this subsection:

5 (i) The commission shall provide records, financial
6 statements and other documents reflecting the revenue and
7 expenditures subject to the financial analysis under this
8 subsection.

9 (ii) The commission shall respond to inquiries and
10 requests for information from the Legislative Budget and
11 Finance Committee in a timely manner.

12 (iii) The Legislative Budget and Finance Committee
13 shall include its most recent performance audit under
14 section 522(b) (relating to appropriation and audit of
15 moneys).

16 (2) The financial analysis shall be submitted to the
17 president pro tempore of the Senate, chair of the Game and
18 Fisheries committee of the Senate, speaker of the House of
19 Representatives and the chair of the Game and Fisheries
20 Committee of the House of Representatives. The financial
21 analysis shall be public information.

22 ~~§ 2303. Hunting on Sunday prohibited.~~

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23 * * *

24 ~~(d) Expiration. This section shall expire upon the~~
25 ~~publication of the regulation under section 2303.1(b) (relating~~
26 ~~to hunting on Sunday).~~

27 Section 2. Title 34 is amended by adding a section to read:

28 ~~§ 2303.1. Hunting on Sunday.~~

29 ~~(a) General rule. The commission may institute Sunday~~
30 ~~hunting by regulation promulgated in accordance with section~~

1 ~~2102 (relating to regulations).~~

2 ~~(b) Applicability. It shall be lawful for a person to hunt~~
3 ~~for any furbearer or game on Sunday on and after the publication~~
4 ~~of the final regulation under subsection (a).~~

5 SECTION 2. SECTION 2303(B.1) OF TITLE 34 IS AMENDED BY <--
6 ADDING A PARAGRAPH TO READ:

7 § 2303. HUNTING ON SUNDAY PROHIBITED.

8 * * *

9 (B.1) EXCEPTIONS.--SUBSECTION (A) SHALL NOT APPLY TO:

10 * * *

11 (4) HUNTING ON THREE SUNDAYS EACH CALENDAR YEAR, AS
12 FOLLOWS:

13 (I) ONE DAY OF SUNDAY HUNTING SHALL BE INSTITUTED BY
14 THE COMMISSION DURING THE DEER RIFLE SEASON.

15 (II) ONE DAY OF SUNDAY HUNTING SHALL BE INSTITUTED
16 BY THE COMMISSION DURING THE STATEWIDE DEER ARCHERY
17 SEASON.

18 (III) ONE DAY OF SUNDAY HUNTING AS DETERMINED BY THE
19 COMMISSION SHALL BE INSTITUTED BY THE COMMISSION.

20 * * *

21 Section 3. Section 2314 of Title 34 is amended to read:

22 § 2314. Trespass on private property while hunting.

23 [(a) General rule.--Any person who while violating any
24 provision of this title or any regulations promulgated under
25 this title and who in addition is found to be trespassing as
26 defined in 18 Pa.C.S. § 3503 (relating to criminal trespass)
27 shall be in violation of this section.]

28 (b) Penalty.--A violation of this section:

29 (1) A violation of this section is a summary offense of
30 the fifth degree.

1 (2) A second or subsequent violation of this section
2 within a seven-year period is a summary offense of the fifth
3 degree and may result in forfeiture of the privilege to hunt
4 or take game or wildlife anywhere within this Commonwealth
5 for a period of one year.]

6 (a) General rule.--A person, while engaged in hunting or
7 furtaking, commits an offense if, knowing that the person is not
8 licensed or privileged to do so, the person:

9 (1) enters or remains on any land of another without
10 authorization to do so, when the land is posted in a manner
11 prescribed by law or reasonably likely to come to the
12 person's attention or is fenced or enclosed in a manner
13 manifestly designed to exclude trespassers; or

14 (2) enters or remains on any land of another without
15 authorization and defies an order not to enter or to leave
16 that has been personally communicated to the person by the
17 owner of the land or other authorized person.

18 (b) Penalty.--An offense under this section shall be graded
19 as follows:

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

22 (2) A person who violates subsection (a)(2) commits a
23 misdemeanor.

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

30 Section 4. This act shall take effect ~~in 60 days~~

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1 IMMEDIATELY.

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