

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1087 Session of
2024

INTRODUCED BY ROTHMAN, VOGEL, DUSH AND CULVER, FEBRUARY 21, 2024

REFERRED TO GAME AND FISHERIES, FEBRUARY 21, 2024

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(a), (b) and (c) of Title 34 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 2314. Trespass on private property while hunting.

9 (a) General rule.--A person, while engaged in hunting or
10 furtaking, commits an offense if, knowing that the person is not
11 licensed or privileged to do so, the person or a dog used by the
12 person for hunting or furtaking:

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

18 (2) enters or remains on any land of another without
19 authorization and defies an order not to enter or to leave

1 that has been personally communicated to the person by the
2 owner of the land or other authorized person[.];

3 (3) enters or remains on any land of another without
4 authorization to do so, when the land is fenced or enclosed
5 in a manner manifestly designed to exclude trespassers; or

6 (4) subject to subsection (b), enters or remains on any
7 land of another without authorization to do so when notice
8 against trespass is given by the placement of identifying
9 purple paint marks on trees or posts on the property, which
10 are:

11 (i) vertical lines of not less than eight inches in
12 length and not less than one inch in width;

13 (ii) placed in a manner so that the bottom of the
14 mark is not less than three feet from the ground and not
15 more than five feet from the ground; and

16 (iii) placed at locations that are readily visible
17 to a person approaching the property and no more than 100
18 feet apart.

19 (b) Applicability.--[This section shall not apply to an
20 unarmed person who enters onto posted property for the sole
21 purpose of retrieving a hunting dog.] Subsection (a)(4) shall
22 not apply in a county of the first class or a county of the
23 second class.

24 (c) Penalty.--An offense under this section shall be graded
25 as follows:

26 (1) A person who violates subsection (a)(1), (3) or (4)
27 commits a summary offense of the [third degree.] second
28 degree and may result in forfeiture of the privilege to hunt
29 or take game or wildlife anywhere within this Commonwealth
30 for a period of up to one year.

1 (2) A person who violates subsection (a) (2) commits a
2 misdemeanor[.] and shall result in forfeiture of the
3 privilege to hunt or take game or wildlife anywhere within
4 this Commonwealth for a period of three years.

5 (3) A person who commits a second or subsequent
6 violation of this section within a seven-year period commits
7 a misdemeanor, and the second or subsequent violation shall
8 result in forfeiture of the privilege to hunt or take game or
9 wildlife anywhere within this Commonwealth for a period of
10 [one year] five years.

11 * * *

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