

GAME AND WILDLIFE CODE (34 PA.C.S.) - BUYING AND SELLING GAME AND SAFETY
ZONES

Act of Jul. 9, 2008, P.L. 920, No. 65

Cl. 34

Session of 2008

No. 2008-65

HB 69

AN ACT

Amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, defining "mounted specimen"; and further providing for buying and selling game and for safety zones.

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

Section 1. Section 102 of Title 34 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

"Mounted specimen." Any game or wildlife, or any portion or part thereof, prepared, preserved, arranged, set up or posed in a lifelike position or some other form of display.

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Section 2. Sections 2312(c)(1) and 2505(c)(2) of Title 34 are amended to read:

§ 2312. Buying and selling game.

* * *

(c) Exception.--

[(1) Nothing in this section shall be construed to prevent the purchase or sale of game raised under authority of a propagating permit in this Commonwealth or the capture and sale of game or wildlife after securing a permit from the director and payment of any fees established by the commission or the purchase or sale of the tanned, cured or mounted heads or skins, or parts thereof, of any game or wildlife not killed in a wild state in this Commonwealth, or the sale or purchase of any inedible part thereof, from game or wildlife lawfully killed, if such parts are disposed of by the original owner within 90 days after the close of the season in which the game or wildlife was taken. Prior to selling parts of game or wildlife under the provisions of this subsection, all edible parts shall be removed.]

(1) Nothing in this section shall be construed to prevent:

(i) The purchase or sale of game raised under the authority of a propagating permit in this Commonwealth.

(ii) The capture and sale of game or wildlife after securing a permit from the director and payment of any fees established by the commission.

(iii) The sale of the tanned, cured or mounted heads or skins, or parts thereof, of any game or wildlife not killed in a wild state in this Commonwealth.

(iv) The sale or purchase of any inedible part thereof, from game or wildlife lawfully killed, if such parts are disposed of by the original owner within 90 days after the close of the season in which the game or wildlife was taken.

(v) The sale of mounted specimens by any auctioneer licensed by the Commonwealth. The commission shall require no permit for such action. Any licensed auctioneer who sells ten or more mounted specimens during any one sale at a registered auction house must report those sales to the commission within 15 days of the completion of the sale.

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§ 2505. Safety zones.

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(c) Definition.--As used in this section, the term "safety zone" means:

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(2) When applied to properly licensed persons hunting with bow and arrow or crossbow **and persons properly licensed for falconry**, the area within 50 yards around and that area which is below the highest point of any occupied dwelling house, residence or other building or camp occupied by human beings or any barn, stable or other building used in connection therewith and the area within 150 yards around and that area which is below the highest point of any attached or detached playground of any school, nursery school or day-care center.

Section 3. This act shall take effect immediately.

APPROVED--The 9th day of July, A. D. 2008.

EDWARD G. RENDELL