

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 969**Session of
1975

INTRODUCED BY MESSRS. GEESEY, COLE, BRADLEY, GLEASON, HASAY,
HALVERSON, GIAMMARCO, MRKONIC, PITTS, E. H. SMITH, McINTYRE,
MYERS, RENWICK AND NOYE, APRIL 9, 1975

SENATOR MELLOW, ENVIRONMENTAL RESOURCES, IN SENATE, AS AMENDED,
MARCH 29, 1976

AN ACT

1 Amending the act of June 3, 1937 (P.L.1225, No.316), entitled
2 "An act concerning game and other wild birds and wild
3 animals; and amending, revising, consolidating, and changing
4 the law relating thereto," further regulating damage done by
5 hunters.

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

8 Section 1. The act of June 3, 1937 (P.L.1225, No.316), known
9 as "The Game Law," is amended by adding a section to read:

10 Section 803. Damage to Trees.--It shall be unlawful while
11 hunting or while preparing to hunt for any wild bird or wild
12 animal, to cause damage to any tree or trees located upon any
13 public or privately owned lands as a result of constructing any
14 tree stand, platform, or any other man-made support of any
15 description, or as a result of using any portable tree stand or
16 any other implement or device of any description to climb any
17 tree. The provisions of this section shall not apply to a
18 private landowner upon land which he owns or to any person to

1 whom he has given written permission in advance.

2 A person who shall damage a tree contrary to the provisions
3 of this section shall, upon summary conviction, be sentenced to
4 REMOVE THE TREE STAND, PLATFORM OR ANY OTHER MAN-MADE SUPPORT OR ←
5 CLIMBING DEVICE OF ANY DESCRIPTION AND TO pay a penalty of
6 twenty-five dollars (\$25.00) plus costs of prosecution. He shall
7 be liable to pay to the one in control of a tree the value of
8 any damage done by him to the tree as shall be determined by a
9 court of competent jurisdiction. The court may appoint a
10 competent appraiser to determine the value of such damage. The
11 value of the damage determined finally by the court shall be
12 assessed against the defendant and paid to the court for
13 disposition. The court shall deliver the amount collected to the
14 person or governmental agency having legal control over the land
15 where the damage occurred. The court appointed appraiser shall
16 be entitled to a reasonable fee for services rendered which
17 shall be assessed against the defendant as additional costs for
18 delivery to the appraiser by the court.

19 Section 2. This act shall take effect immediately.