
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 879 Session of
1989

INTRODUCED BY MOEHLMANN, COY, FARGO, ROBBINS AND MERRY,
APRIL 3, 1989

REFERRED TO COMMITTEE ON GAME AND FISHERIES, APRIL 3, 1989

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, further providing for killing game or wildlife to
3 protect property.

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

6 Section 1. Section 2121(a) and (c) of Title 34 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 2121. Killing game or wildlife to protect property.

9 (a) General rule.--Subject to any limitations in this
10 subchapter, nothing in this title shall be construed to prohibit
11 any person from killing any game or wildlife:

12 (1) which the person may witness actually engaged in the
13 material destruction of cultivated crops, fruit trees,
14 vegetables, livestock, poultry, fish hatcheries or beehives;

15 (2) anywhere on the property under the person's control,
16 including detached lands being [cultivated] used for the same
17 or similar purposes, immediately following such destruction;

18 or

1 (3) where the presence of the game or wildlife on any
2 cultivated lands, fish hatcheries or fruit orchards is just
3 cause for reasonable apprehension of additional imminent
4 destruction.

5 Lands divided by a public highway shall not be construed as
6 detached lands. Any person who wounds any game or wildlife shall
7 immediately make a reasonable effort to find and kill the game
8 or wildlife. Every person shall comply with all other
9 regulations in this subchapter pertaining to the method and
10 manner of killing, reporting the killing and the disposition of
11 game or wildlife and their skins and carcasses.

12 * * *

13 (c) Definition.--As used in this subchapter, the word
14 "person" shall be limited to any person cultivating, as a
15 primary means of gaining a livelihood, any lands for general or
16 specialized crop purposes, truck farming or fruit orchard or
17 nursery being regularly maintained or operating a fish hatchery,
18 as either the owner, lessee or a member of the family of the
19 owner or lessee assisting with the cultivation of the land or
20 operation of the fish hatchery, or a domiciled member of the
21 household of the owner or lessee or an employee of the owner or
22 lessee, regularly and continuously assisting in the cultivation
23 of the land or operation of the fish hatchery.

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