

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 961 Session of
1991

INTRODUCED BY STABACK, FEE, GRUPPO, GODSHALL, DeWEESE, COY,
NICKOL, FARGO, FAIRCHILD, NAILOR, STISH, NOYE, PESCI,
S. H. SMITH, JAROLIN, DALEY, KRUSZEWSKI, McNALLY, BIRMELIN,
BELFANTI, GEIST, KUKOVICH, GERLACH, ARMSTRONG, STEIGHNER,
HECKLER, VEON, G. SNYDER, HASAY, McCALL, BOWLEY, BELARDI,
MELIO, TIGUE, BARLEY, TRELLO, LEVDANSKY, BUSH, HANNA AND
KING, APRIL 2, 1991

REFERRED TO COMMITTEE ON GAME AND FISHERIES, APRIL 2, 1991

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, further prohibiting interference with the lawful
3 taking of wildlife or other activities permitted by the
4 Pennsylvania Game Commission.

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

7 Section 1. Section 2302 of Title 34 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 2302. Interference with lawful [hunting or trapping] taking
10 of wildlife or other activities permitted by this
11 title prohibited.

12 (a) General rule.--Except as otherwise provided in this
13 title, it is unlawful [to :

14 (1) Interfere with the lawful hunting, trapping or
15 taking of game or wildlife.

16 (2) Disturb any game or wildlife, or engage in any

1 activity or place any object or substance that may disturb or
2 otherwise affect the behavior of any game or wildlife with
3 the intent to hinder or prevent its lawful taking.

4 (3) Disturb or interfere with another person who is
5 engaged in the lawful hunting, trapping or taking of game or
6 wildlife or who is engaged in or preparing to hunt, trap or
7 take any game or wildlife or prevent or hinder such person's
8 enjoyment of the outdoors.

9 (4) Enter or remain upon public lands or upon private
10 lands without permission of the owner or their agent, with
11 intent to violate this section.

12 (5) Fail to obey the order of any officer whose duty it
13 is to enforce any of the laws of this Commonwealth where such
14 officer observes any conduct which violates this section, or
15 has reasonable grounds to believe that any person intends to
16 engage in such conduct.]

17 for another person at the location where the activity is taking
18 place to intentionally obstruct or interfere with the lawful
19 taking of wildlife or other activities permitted by this title.

20 (a.1) Activities which violate section.--A person violates
21 this section when he intentionally or knowingly:

22 (1) drives or disturbs wildlife for the purpose of
23 disrupting the lawful taking of wildlife where another person
24 is engaged in the process of lawfully taking wildlife or
25 other permitted activities;

26 (2) blocks, impedes or otherwise harasses another person
27 who is engaged in the process of lawfully taking wildlife or
28 other permitted activities;

29 (3) uses natural or artificial visual, aural, olfactory
30 or physical stimuli to affect wildlife behavior in order to

1 hinder or prevent the lawful taking of wildlife or other
2 permitted activities;

3 (4) creates or erects barriers with the intent to deny
4 ingress or egress to areas where the lawful taking of
5 wildlife or other permitted activities may occur;

6 (5) interjects himself into the line of fire;

7 (6) affects the condition or placement of personal or
8 public property intended for use in the lawful taking of
9 wildlife or other permitted activities in order to impair its
10 usefulness or prevent its use;

11 (7) enter or remain upon public lands or upon private
12 lands without permission of the owner or their agent, with
13 intent to violate this section; or

14 (8) fails to obey the order of any officer whose duty it
15 is to enforce any of the laws of this Commonwealth where such
16 officer observes any conduct which violates this section or
17 has reasonable grounds to believe that any person intends to
18 engage in such conduct.

19 (b) Enforcement and recovery of damages.--The commission or
20 any person who is lawfully engaged in the taking, hunting or
21 trapping of game or wildlife who is directly affected by a
22 violation of this section may bring an action to restrain
23 conduct declared unlawful in this section and to recover
24 damages.

25 (c) Exceptions.--The conduct declared unlawful in this
26 section does not include any activities arising from lawful
27 activity by other land uses, including farming, mining, forestry
28 practices, recreation or any other activities when it is evident
29 that such activities are not intended to violate this section.

30 (d) Penalties.--A violation of this section is a summary

1 offense of the second degree.

2 Section 2. This act shall take effect July 1, 1991.