

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1129 Session of
1991

INTRODUCED BY BOWLEY, FEE, DeWEESE, CAPPABIANCA, STABACK,
LEVDANSKY, GODSHALL, COHEN, NOYE, FAJT, VEON, ARNOLD, PESCI,
HERMAN, BELFANTI, PETRONE, BATTISTO, TRELLO, MICHLOVIC,
HANNA, PISTELLA, RICHARDSON, CLARK, SURRA, JAMES AND NAILOR,
APRIL 10, 1991

REFERRED TO COMMITTEE ON GAME AND FISHERIES, APRIL 10, 1991

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, further providing for increased penalties for
3 shooting at, causing injury to or killing another person.

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

6 Section 1. Sections 925(a) and (b) and 2522 of Title 34 of
7 the Pennsylvania Consolidated Statutes are amended to read:

8 § 925. Jurisdiction and penalties.

9 (a) Jurisdiction.--Notwithstanding the provisions of Title
10 42 (relating to judiciary and judicial procedure), all district
11 justices shall have jurisdiction for all violations of this
12 title which are classified as summary offenses [or misdemeanors]
13 and may accept guilty pleas and impose sentences for violations
14 of this title classified as misdemeanors.

15 (b) Fines for violations.--In addition to any other
16 requirements of this title, the following fines shall be imposed
17 for violations of this title:

(1) Misdemeanor of the first degree, not less than \$2,000 nor more than \$10,000 and may be sentenced to imprisonment up to 6 months.

(2) Misdemeanor of the second degree, not less than \$1,000 nor more than \$5,000 and may be sentenced to imprisonment up to 6 months.

(3) Misdemeanor of the third degree, not less than \$500 nor more than \$2,500 and may be sentenced to imprisonment up to 6 months.

(4) Summary offense of the first degree, \$800.

(5) Summary offense of the second degree, \$500.

(6) Summary offense of the third degree, \$300.

(7) Summary offense of the fourth degree, \$200.

(8) Summary offense of the fifth degree, \$100.

(9) Summary offense of the sixth degree, \$75.

(10) Summary offense of the seventh degree, \$50.

(11) Summary offense of the eighth degree, \$25.

In addition to the imposition of any fines, costs of prosecution shall also be assessed pursuant to 42 Pa.C.S. §§ 1725.1 (relating to costs) and 3571 (relating to Commonwealth portion of fines, etc.).

* * *

§ 2522. Shooting at or causing injury to human beings.

(a) General rule.--It is unlawful for any person while hunting or furtaking, through carelessness or negligence, to shoot at, injure or kill any human being through the use of a firearm, bow and arrow or other deadly weapon.

(b) Penalty.--The penalty to be imposed for any violation of this section shall be determined pursuant to the following classifications:

1 (1) To shoot at but not hit or injure a human being is a
2 [summary offense of the first degree] misdemeanor of the
3 third degree.

4 (2) To injure a human being is a misdemeanor of the
5 [third] second degree.

6 (3) To kill a human being is a misdemeanor of the
7 [second] first degree.

8 (c) Denial of privileges.--In addition to the penalty
9 imposed pursuant to subsection (b), any person who shoots at,
10 injures or kills a human being shall be denied the privilege to
11 hunt or take game or wildlife anywhere in this Commonwealth,
12 with or without license, for the following periods:

13 (1) To shoot at but not hit or injure a human being, the
14 denial shall be for a period of two years.

15 (2) To injure a human being, the denial shall be for a
16 period of not less than [two] five years nor more than [five]
17 ten years.

18 (3) To kill a human being, the denial shall be for a
19 period of [ten] fifteen years.

20 (d) Nonpayment of fine.--A person who fails to pay the fine
21 imposed by this section within 180 days shall undergo
22 imprisonment not in excess of one year or until the fine is paid
23 in full.

24 (e) Imprisonment for violation of sentence.--It is unlawful
25 for a person to hunt or take game or wildlife or attempt to hunt
26 or take game or wildlife, with or without license, contrary to a
27 sentence imposed under subsection (b). Upon conviction, the
28 person shall be sentenced to undergo imprisonment for a period
29 of not less than three months nor more than six months.

30 (f) Mandatory hunter education.--Any person whose privilege

1 to hunt or take game is suspended under subsection (c) shall,
2 prior to obtaining a license after the period of suspension,
3 present evidence for the successful completion of a hunter
4 education course as prescribed in section 2704(b) (relating to
5 eligibility for license).

6 [(f)] (g) Civil remedies preserved.--Nothing in this section
7 shall bar the recovery of any damages in any civil action by any
8 aggrieved party.

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