

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 143 Session of
1999

INTRODUCED BY GERLACH, O'PAKE, COSTA, STAPLETON, WHITE, KASUNIC
AND EARLL, JANUARY 12, 1999

REFERRED TO JUDICIARY, JANUARY 12, 1999

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for defenses to
3 criminal trespass.

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

6 Section 1. Section 3503(c) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3503. Criminal trespass.

9 * * *

10 (c) Defenses.--It is a defense to prosecution under this
11 section that:

12 (1) a building or occupied structure involved in an
13 offense under subsection (a) of this section was abandoned;

14 (2) the premises were at the time open to members of the
15 public and the actor complied with all lawful conditions
16 imposed on access to or remaining in the premises; [or]

17 (2.1) the actor was an owner, handler or trainer of a
18 hunting dog, who, in the course of hunting or training for

1 hunting, entered lands posted against hunting or otherwise
2 generally prohibiting entry, and who:

3 (i) if requested by the landowner or his agent,
4 identified himself by name and hunting license number, if
5 available;

6 (ii) entered the lands for the purpose of recovering
7 the hunting dog;

8 (iii) did not unduly disturb the peace; and

9 (iv) except with the permission of the landowner or
10 his agent, did not bring a firearm, bow and arrow or
11 vehicle on the lands; or

12 (3) the actor reasonably believed that the owner of the
13 premises, or other person empowered to license access
14 thereto, would have licensed him to enter or remain.

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