

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 659 Session of  
2003

INTRODUCED BY STABACK, GOODMAN, SOLOBAY, BELARDI, BELFANTI,  
CAPPELLI, COY, DeLUCA, FAIRCHILD, GEIST, GODSHALL, GRUCELA,  
HALUSKA, HANNA, HARHAI, HENNESSEY, JAMES, LAUGHLIN,  
LEVDANSKY, McGEEHAN, S. MILLER, MUNDY, PALLONE, PHILLIPS,  
READSHAW, ROBERTS, SHANER, STERN, R. STEVENSON, T. STEVENSON,  
SURRA, TIGUE, WALKO, WANSACZ, WASHINGTON, WILT, YOUNGBLOOD  
AND GERGELY, MARCH 4, 2003

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MARCH 30, 2004

## AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated  
2 Statutes, further providing for lawful cooperation or  
3 assistance by unlicensed persons.

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

6 Section 1. Sections 2301(b) and 2701 of Title 34 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 2301. Prima facie evidence of hunting.

9 \* \* \*

10 (b) Lawful cooperation or assistance.--Notwithstanding any  
11 other provision of this title to the contrary, any person who  
12 has lawfully taken the bag or season limit for a particular  
13 species of game or wildlife or any person who meets the  
14 requirements of section 2701(c) (relating to license  
15 requirements) may aid, assist, abet or cooperate in any manner

1 specified by this title or commission regulations with another  
2 person who is engaged in any lawful activity permitted by this  
3 title or the regulations of the commission.

4 § 2701. License requirements.

5 (a) General rule.--Except in defense of person or property  
6 or pursuant to exemptions authorized in this title, every  
7 person, prior to engaging in any of the privileges granted by  
8 this title, shall first obtain the applicable license subject to  
9 any conditions or other requirements imposed by this title.

10 (b) Only one license valid.--Only one full-term or distinct  
11 hunting license and furtaking license shall be valid during any  
12 full-term license year. The issuance of any replacement license  
13 or the purchase of a second or subsequent license of any class  
14 shall immediately and automatically invalidate any license of  
15 the same kind which had been previously issued.

16 (c) Exception.--Any person WHO HAS NEVER HELD A HUNTING <—  
17 LICENSE IN PENNSYLVANIA OR ANY OTHER STATE may participate in  
18 the hunting and trapping activities authorized under this title  
19 or commission regulations without compliance with this section <—  
20 SUBSECTION (A) or section 2704 (relating to eligibility for <—  
21 license) if that person satisfies all of the following  
22 requirements:

23 (1) The person who participates in the hunting and  
24 trapping activities must be accompanied by another person 18 <—  
25 years of age or older who is licensed as provided in this  
26 title. ALWAYS BE IN SIGHT OF AND CLOSE ENOUGH TO A LICENSED <—  
27 HUNTER WHO IS AT LEAST 18 YEARS OF AGE TO CLEARLY HEAR AND  
28 UNDERSTAND INSTRUCTIONS COMMUNICATED TO THEM THROUGH NORMAL  
29 CONVERSATION WITHOUT THE AID OF ANY DEVICE. THE LICENSED  
30 HUNTER SHALL HAVE A VALID HUNTING LICENSE FOR THE GAME OR

1 WILDLIFE THEY ARE HUNTING OR QUALIFY FOR LICENSE AND FEE  
2 EXEMPTIONS UNDER SECTION 2706 (RELATING TO RESIDENT LICENSE  
3 AND FEE EXEMPTIONS).

4 (2) The unlicensed person may not possess, convey or use  
5 any firearm, bow or any other device that may be used to  
6 harvest game OR FURBEARERS. <—

7 (3) The unlicensed person must be in compliance with  
8 section 2524 (relating to protective material required) and  
9 with any regulations promulgated by the commission related to  
10 protective material.

11 (4) The unlicensed person who participates in any  
12 hunting party for deer, bear or elk shall be listed on any <—  
13 roster when required and shall count as a member of the  
14 hunting party for purposes of section 2324 (relating to  
15 roster of parties hunting big game). For the purposes of  
16 hunting small game, the unlicensed person shall be counted as  
17 a member of the party.

18 ~~(5) When accompanying unlicensed junior hunters, adult~~  
19 ~~hunters shall comply with section 2711(a)(8) (relating to~~  
20 ~~unlawful acts concerning licenses) and shall abide by~~  
21 ~~commission regulations pertaining to accompanying junior~~  
22 ~~hunters.~~ HUNTING PARTY SHALL BE LISTED ON THE HUNTING ROSTER <—  
23 WHEN REQUIRED AND SHALL COUNT AS A MEMBER OF THE HUNTING  
24 PARTY FOR PURPOSES OF REGULATIONS PROMULGATED PURSUANT TO  
25 SECTION 2324 (RELATING TO ROSTER OF PARTIES HUNTING BIG GAME)  
26 AND COMMISSION REGULATIONS RELATING TO BIG GAME ANIMAL  
27 HUNTING ROSTER AND SMALL GAME.

28 ~~(6)~~ (5) For the purposes of this section, at no time <—  
29 shall a licensed hunter accompany more than one unlicensed  
30 hunter PERSON. <—

1       Section 2.   This act shall take effect immediately.