
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 181 Session of
2009

INTRODUCED BY CUTLER, KORTZ, DALLY, BOYD, CAUSER, DENLINGER,
GEIST, GOODMAN, HESS, HICKERNELL, KRIEGER, MENSCH, MOUL,
PALLONE, PHILLIPS, PICKETT, PYLE, RAPP, READSHAW, SONNEY,
STERN, SWANGER, TRUE AND VULAKOVICH, FEBRUARY 2, 2009

REFERRED TO COMMITTEE ON GAME AND FISHERIES, FEBRUARY 2, 2009

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, further providing for powers and duties of
3 enforcement officers and for resisting or interfering with an
4 officer.

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

7 Section 1. Section 901(a)(2), (3), (6), (7), (8) and (14) of
8 Title 34 of the Pennsylvania Consolidated Statutes are amended
9 and the section is amended by adding a subsection to read:

10 § 901. Powers and duties of enforcement officers.

11 (a) Powers.--Any officer whose duty it is to enforce this
12 title or any officer investigating any alleged violation of this
13 title shall have the power and duty to:

14 * * *

15 (2) Go upon any land or water outside of buildings,
16 except curtilage, posted or otherwise, in the performance of
17 the officer's duty. For purposes of this paragraph, camps
18 that are not permanently occupied residences shall not be

1 deemed to have curtilage.

2 (3) Serve subpoenas issued under the provisions of this
3 title or any other statute the officer is authorized to
4 enforce.

5 * * *

6 (6) Stop [and inspect or search, at any time,] vehicles
7 or any means of transportation within this Commonwealth under
8 reasonable suspicion or under the administrative procedures
9 for road check points. Any officer who stops any means of
10 transportation shall be in uniform and present a badge or
11 other means of official identification and state the purpose
12 of the [inspection or search] stop.

13 (7) [Inspect and examine or search, at any time or
14 place, any person or means of transportation or its
15 attachment or occupants, or any clothing worn by any person,
16 or any bag, clothing or container when the officer presents
17 official identification and states the purpose of the
18 inspection or search.] Search any means of transportation or
19 its attachment under probable cause, consent, exigent
20 circumstances or other exceptions to warrant requirements
21 established by legal precedent.

22 (8) [Inspect and examine or search, at any time, any
23 camp, tent, cabin, trailer or any means of transportation or
24 its attachment being used when the officer presents official
25 identification to the person in charge and states the purpose
26 of the inspection or search.] Conduct administrative
27 inspections of persons, licenses and permits, firearms,
28 ammunition and other implements of taking, game bags, game,
29 meat poles, tags, clothing, waterfowl blinds, decoys, tree
30 stands, immediate hunting locations, boats, ATVs or other

1 vehicles used as blinds and any coolers or containers
2 possessed at a hunting location when prima facie evidence of
3 hunting exists.

4 * * *

5 (14) Demand and secure identification from any person
6 who is the subject of an official investigation or
7 investigative detention, supported by reasonable suspicion of
8 any statutes the officer is authorized to enforce.

9 * * *

10 (c) Definitions.--As used in this section, the following
11 words and phrases shall have the meanings given to them in this
12 subsection:

13 "Officer's employment." The period of time during which a
14 wildlife conservation officer is currently engaged in an
15 activity the officer is employed to perform at the time of the
16 engagement and in places the officer is authorized to perform
17 the activity.

18 Section 2. Section 904 (b) (1) of Title 34 is amended to
19 read:

20 § 904. Resisting or interfering with an officer.

21 * * *

22 (b) Failure to produce identification upon demand.--

23 (1) A person who refuses to provide identification upon
24 demand of an officer whose duty it is to enforce this title
25 after having been told by the officer that the person is the
26 subject of an official investigation or investigative
27 detention, supported by reasonable suspicion of any statutes
28 the officer is authorized to enforce, commits a summary
29 offense of the fifth degree.

30 * * *

1 Section 3. This act shall take effect in 60 days.