

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1409 Session of 2017

INTRODUCED BY WENTLING, RAPP, COOK, READSHAW, JAMES, CAUSER, SAINATO, WARD, ZIMMERMAN, SANKEY, B. MILLER, TURZAI, ROAE, JOZWIAK, GILLEN, REED, LONGIETTI, ENGLISH AND KORTZ, MAY 19, 2017

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, FEBRUARY 6, 2018

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in hunting and furtaking licenses, further
3 providing for resident license and fee exemptions and for
4 license costs and fees; IN SPECIAL LICENSES AND PERMITS, <--
5 PROVIDING FOR PERMIT EXEMPTIONS; and making editorial
6 changes.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Sections 2701(c)(1), 2704(b) introductory
10 paragraph, 2705(15) and 2706 heading, (b)(1) and (1.1) and (b.1)
11 of Title 34 of the Pennsylvania Consolidated Statutes are
12 amended to read:

13 § 2701. License requirements.

14 * * *

15 (c) Exception.--Any person who has never held a hunting
16 license in Pennsylvania or any other state may participate in
17 the hunting and trapping activities authorized under this title
18 or commission regulations without compliance with subsection (a)

1 or section 2704 (relating to eligibility for license) if that
2 person satisfies all of the following requirements:

3 (1) The person who participates in the hunting or
4 trapping activities must always be in sight of and close
5 enough to a licensed hunter who is at least 18 years of age
6 to clearly hear and understand instructions communicated to
7 the person through normal conversation without the aid of any
8 device. The licensed hunter shall have a valid hunting
9 license for the game or wildlife they are hunting or qualify
10 for license and fee exemptions under section 2706 (relating
11 to [resident] license and fee exemptions).

12 * * *

13 § 2704. Eligibility for license.

14 * * *

15 (b) Hunter education.--Persons who have not held a hunting
16 license lawfully issued to them in this Commonwealth or another
17 state or nation or have not hunted under the exceptions in
18 section 2706 (relating to [resident] license and fee exemptions)
19 or do not possess a certificate of training approved by the
20 director prior to the enactment of this title shall be required
21 to attain accreditation in a hunter education program approved
22 by the director before a hunting license is issued to them. The
23 provisions of this subsection shall not apply to a person who
24 presents:

25 * * *

26 § 2705. Classes of licenses.

27 Unless otherwise provided, any person wishing to exercise any
28 of the privileges granted by this title shall first secure the
29 applicable resident or nonresident hunting or furtaker license
30 as follows:

1 * * *

2 (15) Elk hunting license to persons eligible for classes
3 of licenses in paragraphs (1), (2), (3), (7), (7.1), (8), (9)
4 and (11.1). Notwithstanding any other provisions of this
5 title or the regulations promulgated thereunder, elk licenses
6 under this paragraph shall not be subject to the provisions
7 of sections 2706 (relating to [resident] license and fee
8 exemptions) and 2706.1 (relating to complimentary nonresident
9 licenses). To ensure sound management of Pennsylvania's wild
10 elk population, the commission may promulgate regulations to
11 establish a limited number of licenses. The commission may
12 establish a nonrefundable application fee at a cost of \$10.

13 * * *

14 § 2706. [Resident license] License and fee exemptions.

15 * * *

16 (b) Disabled veterans.--

17 (1) Any resident or nonresident disabled veteran who has
18 a disability incurred in any war or armed conflict which
19 consists of the loss of one or more limbs, or the loss of the
20 use of one or more limbs, or who is 100% disabled as
21 certified by the United States Department of Veterans
22 Affairs, and who meets all other qualifications of this title
23 and is otherwise mentally and physically fit, shall be issued
24 a free regular hunting or furtaking license upon application
25 to the commission or a county treasurer.

26 (1.1) Any resident or nonresident disabled veteran who
27 has a disability incurred in any war or armed conflict and
28 possesses a disability rating between 60% and 99% as
29 certified by the United States Department of Veterans Affairs
30 and who meets all other qualifications of this act and is

1 otherwise mentally and physically fit shall be issued a
2 resident hunting or furtaking license at the cost of \$1 upon
3 application to the commission or a county treasurer.

4 * * *

5 (b.1) Prisoners of war.--A resident or nonresident former
6 prisoner of war shall be entitled to purchase a resident hunting
7 license at the cost of \$1 plus the current issuing fee upon
8 application to the commission. An application under this
9 subsection shall contain the same information as is required for
10 other resident hunting license applications. As used in this
11 subsection, the term "former prisoner of war" means an
12 individual who was imprisoned by enemy forces while in the
13 service of the armed forces of the United States as certified by
14 the appropriate branch of the armed forces of the United States.

15 * * *

16 Section 2. Section 2709(a)(2) and (17) of Title 34 are
17 amended and the subsection is amended by adding a paragraph to
18 read:

19 § 2709. License costs and fees.

20 (a) License costs.--Any person who qualifies under the
21 provisions of this chapter shall be issued the applicable
22 license upon payment of the following costs and the issuing
23 agent's fee:

24 * * *

25 (2) (i) Adult resident hunting - \$19.

26 (ii) Resident military personnel hunting - \$1.

27 (iii) [Former] Resident and nonresident former
28 prisoner of war hunting - \$1.

29 (iv) Pennsylvania National Guard hunting - \$1.

30 (v) Reserve component of the armed forces hunting -

1 \$1.

2 * * *

3 (17) Resident and nonresident disabled veteran hunting
4 or furtaker under section [2706(b)] 2706(b)(1) (relating to
5 disabled veterans) - no cost.

6 (17.1) Resident and nonresident disabled veteran hunting
7 or furtaker under section 2706(b)(1.1) - \$1.

8 * * *

9 SECTION 3. TITLE 34 IS AMENDED BY ADDING A SECTION TO READ: <--
10 § 2902.1. PERMIT EXEMPTIONS.

11 (A) PROHIBITION.--NOTWITHSTANDING ANY OTHER PROVISION OF
12 THIS TITLE, THE HOLDER OF A PERMIT-EXEMPT LICENSE MAY NOT BE
13 REQUIRED TO OBTAIN A PERMIT TO HUNT A SPECIES THAT THE HOLDER OF
14 THE PERMIT-EXEMPT LICENSE WAS ALLOWED TO HUNT WITHOUT A PERMIT
15 PRIOR TO JULY 1, 2017.

16 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
17 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
18 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

19 "PERMIT-EXEMPT LICENSE." ANY OF THE FOLLOWING:

20 (1) A SENIOR LIFETIME RESIDENT HUNTING LICENSE.

21 (2) A SENIOR LIFETIME RESIDENT COMBINATION HUNTING AND
22 FURTAKER LICENSE.

23 SECTION 4. THE ADDITION OF 34 PA.C.S. § 2902.1 SHALL APPLY
24 RETROACTIVELY TO JULY 1, 2017.

25 Section 3 5. This act shall take effect in 60 days. <--