

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 147 Session of 2019

INTRODUCED BY LAUGHLIN, BREWSTER, STREET AND YAW, FEBRUARY 1, 2019

AS REPORTED FROM COMMITTEE ON GAME AND FISHERIES, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 22, 2019

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in Pennsylvania Game Commission, further providing
3 for accountability; and, in hunting and furtaking, further
4 providing for hunting on Sunday prohibited and for trespass
5 on private property while hunting- AND PROVIDING FOR HUNTING <--
6 ON SUNDAY WITHOUT WRITTEN PERMISSION.

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

9 Section 1. Section 328 of Title 34 of the Pennsylvania
10 Consolidated Statutes is amended by adding a subsection to read:

11 § 328. Accountability.

12 \* \* \*

13 (f) Financial analysis.--

14 (1) Within 180 days of the effective date of this
15 subsection, the Legislative Budget and Finance Committee
16 shall prepare a financial analysis of fees, fines, penalties,
17 royalties, Federal and State appropriations and other sources
18 of revenue received by the commission and of expenditures,
19 including annual operating costs, investments, land purchases

1 and capital projects to carry out the financial analysis  
2 under this subsection:

3 (i) The commission shall provide records, financial  
4 statements and other documents reflecting the revenue and  
5 expenditures subject to the financial analysis under this  
6 subsection.

7 (ii) The commission shall respond to inquiries and  
8 requests for information from the Legislative Budget and  
9 Finance Committee in a timely manner.

10 (iii) The Legislative Budget and Finance Committee  
11 shall include its most recent performance audit under  
12 section 522(b) (relating to appropriation and audit of  
13 moneys).

14 (2) The financial analysis shall be submitted to the  
15 president pro tempore of the Senate, chair of the Game and  
16 Fisheries committee of the Senate, speaker of the House of  
17 Representatives and the chair of the Game and Fisheries  
18 Committee of the House of Representatives. The financial  
19 analysis shall be public information.

20 Section 2. Section 2303(b.1) of Title 34 is amended by  
21 adding a paragraph to read:

22 § 2303. Hunting on Sunday prohibited.

23 \* \* \*

24 (b.1) Exceptions.--Subsection (a) shall not apply to:

25 \* \* \*

26 (4) Hunting on three Sundays each calendar year, as  
27 follows:

28 (i) One day of Sunday hunting shall be instituted by  
29 the commission during the deer rifle season.

30 (ii) One day of Sunday hunting shall be instituted

1 by the commission during the Statewide deer archery  
2 season.

3 (iii) One day of Sunday hunting as determined by the  
4 commission shall be instituted by the commission.

5 AUTHORITY TO HUNT ON ANY SUNDAY INSTITUTED BY THE COMMISSION <--  
6 UNDER THIS PARAGRAPH SHALL NOT APPLY TO ANY PERSON REQUIRED  
7 TO SECURE A HUNTING LICENSE WHO ATTEMPTS TO HUNT ON PRIVATE  
8 LAND WITHOUT OBTAINING WRITTEN PERMISSION OF THE LANDOWNER,  
9 AN AGENT OF THE LANDOWNER OR LESSEE.

10 \* \* \*

11 Section 3. Section 2314 of Title 34 is amended to read:

12 § 2314. Trespass on private property while hunting.

13 [(a) General rule.--Any person who while violating any  
14 provision of this title or any regulations promulgated under  
15 this title and who in addition is found to be trespassing as  
16 defined in 18 Pa.C.S. § 3503 (relating to criminal trespass)  
17 shall be in violation of this section.]

18 (b) Penalty.--A violation of this section:

19 (1) A violation of this section is a summary offense of  
20 the fifth degree.

21 (2) A second or subsequent violation of this section  
22 within a seven-year period is a summary offense of the fifth  
23 degree and may result in forfeiture of the privilege to hunt  
24 or take game or wildlife anywhere within this Commonwealth  
25 for a period of one year.]

26 (a) General rule.--A person, while engaged in hunting or  
27 furtaking, commits an offense if, knowing that the person is not  
28 licensed or privileged to do so, the person:

29 (1) enters or remains on any land of another without  
30 authorization to do so, when the land is posted in a manner

1 prescribed by law or reasonably likely to come to the  
2 person's attention or is fenced or enclosed in a manner  
3 manifestly designed to exclude trespassers; or

4 (2) enters or remains on any land of another without  
5 authorization and defies an order not to enter or to leave  
6 that has been personally communicated to the person by the  
7 owner of the land or other authorized person.

8 (b) Penalty.--An offense under this section shall be graded  
9 as follows:

10 (1) A person who violates subsection (a) (1) commits a  
11 summary offense of the third degree.

12 (2) A person who violates subsection (a) (2) commits a  
13 misdemeanor.

14 (3) A person who commits a second or subsequent  
15 violation of this section within a seven-year period commits  
16 a misdemeanor, and the second or subsequent violation shall  
17 result in forfeiture of the privilege to hunt or take game or  
18 wildlife anywhere within this Commonwealth for a period of  
19 one year.

20 SECTION 4. TITLE 34 IS AMENDED BY ADDING A SECTION TO READ: <--  
21 § 2315. HUNTING ON SUNDAY WITHOUT WRITTEN PERMISSION.

22 (A) GENERAL RULE.--A PERSON REQUIRED TO SECURE A HUNTING  
23 LICENSE TO HUNT COMMITS AN OFFENSE IF, WHILE ENGAGED IN HUNTING  
24 ON SUNDAY, THE PERSON ENTERS PRIVATE LAND WITHOUT OBTAINING  
25 WRITTEN PERMISSION OF THE LANDOWNER, AN AGENT OF THE LANDOWNER  
26 OR LESSEE.

27 (B) PENALTY.--A PERSON WHO VIOLATES SUBSECTION (A) COMMITS A  
28 SUMMARY OFFENSE OF THE THIRD DEGREE.

29 Section 4 5. This act shall take effect immediately. <--