

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 67 Session of 2023

INTRODUCED BY LAUGHLIN, ROBINSON AND BREWSTER, FEBRUARY 21, 2023

AS AMENDED ON THIRD CONSIDERATION, JULY 2, 2024

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in Pennsylvania Game Commission, further providing
3 for organization of commission; in game or wildlife
4 protection, further providing for report to commission
5 officer and for surrender of carcass to commission officer;
6 in hunting and furtaking, repealing provisions relating to
7 hunting on Sunday prohibited, providing for hunting on Sunday
8 and further providing for the offense of trespass on private
9 property while hunting and for hunting on Sunday without
10 written permission; and, in special licenses and permits,
11 providing for agriculture access permit list.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 ~~Section 1. Section 301(a) and (b) introductory paragraph of <--~~
15 ~~Title 34 of the Pennsylvania Consolidated Statutes are amended~~
16 ~~and the section is amended by adding a subsection to read:~~

17 SECTION 1. SECTION 301(A) OF TITLE 34 OF THE PENNSYLVANIA <--
18 CONSOLIDATED STATUTES IS AMENDED AND THE SECTION IS AMENDED BY
19 ADDING SUBSECTIONS TO READ:

20 § 301. Organization of commission.

21 (a) Composition.--[The] SUBJECT TO SUBSECTION (B.1), THE <--
22 independent administrative commission known as the Pennsylvania
23 Game Commission shall consist of {nine} 10 competent citizens of <--

1 this Commonwealth who shall be well informed on the subject of  
2 wildlife conservation and restoration and who shall be appointed  
3 by the Governor, by and with the advice and consent of a  
4 majority of the elected members of the Senate.

5 ~~(b) Qualifications. [The] One member of the commission~~ <--  
6 ~~shall be known as the Agricultural Commissioner At Large. The~~  
7 ~~Agricultural Commissioner At Large shall represent the interest~~  
8 ~~of agricultural commodities that pertain to normal agricultural~~  
9 ~~operations and wildlife. The remaining members of the commission~~  
10 ~~shall be appointed from the various geographical sections of~~  
11 ~~this Commonwealth so that one and only one shall be a resident~~  
12 ~~of each of the following districts:~~

13 \* \* \*

14 \* \* \* <--

15 (B.1) ADDITIONAL CONSIDERATION.--THE GOVERNOR SHALL ENSURE  
16 THAT AT LEAST ONE MEMBER OF THE COMMISSION REPRESENTS THE  
17 INTEREST OF AGRICULTURAL COMMODITIES THAT PERTAIN TO NORMAL  
18 AGRICULTURAL OPERATIONS AND WILDLIFE.

19 \* \* \*

20 (e) Definitions.--As used in this section, the following  
21 words and phrases shall have the meanings given to them in this  
22 subsection unless the context clearly indicates otherwise:

23 "Agricultural Commissioner At Large." An individual who <--  
24 raises an agricultural commodity and who owns or leases a normal  
25 agricultural operation.

26 "Agricultural commodity." As defined in section 2 of the act  
27 of June 10, 1982 (P.L.454, No.133), entitled "An act protecting  
28 agricultural operations from nuisance suits and ordinances under  
29 certain circumstances."

30 "Normal agricultural operation." As defined in section 2 of

1 the act of June 10, 1982 (P.L.454, No.133), entitled "An act  
2 protecting agricultural operations from nuisance suits and  
3 ordinances under certain circumstances."

4 Section 2. Sections 2122 and 2125 of Title 34 are amended to  
5 read:

6 § 2122. Report to commission officer.

7 Any person who kills any game or wildlife, other than  
8 raccoons, under the provisions of this subchapter shall, within  
9 24 hours, report, orally or in writing, the killing to an  
10 officer of the commission. The report shall set forth the date,  
11 time and place of the killing, the number of species killed  
12 [and], the sex of the species[.] and the location of each  
13 carcass. The commission shall establish a self-reporting system  
14 that allows a person assigned to remove deer for crop damage  
15 purposes to report each harvest to an officer of the commission  
16 via a toll-free telephone number, online application or publicly  
17 accessible Internet website.

18 § 2125. Surrender of carcass [to commission officer].

19 Except as otherwise provided in this subchapter, the entire  
20 carcass, including the head and hide[.] of all big game animals  
21 and the entire carcass of any other game or wildlife, other than  
22 raccoons, less entrails, shall be made available, unless  
23 otherwise directed by an officer of the commission, intact[,  
24 less entrails,] to any commission officer calling for them[.] or  
25 delivered to a processor for final disposition. As used in this  
26 section, the term "processor" means a location specified by the  
27 commission that is willing to accept donations of animals taken  
28 under this chapter.

29 Section 3. Section 2303 of Title 34 is repealed:

30 [\$ 2303. Hunting on Sunday prohibited.]

1 (a) General rule.--Except as otherwise provided in this  
2 title, it is unlawful for any person to hunt for any furbearer  
3 or game on Sunday.

4 (b) Construction of section.--This section shall not be  
5 construed to prohibit:

6 (1) The training of dogs.

7 (2) The participation in dog trials as provided for in  
8 this title.

9 (3) The removal of lawfully taken game or wildlife from  
10 traps or the resetting of the traps on Sunday.

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

12 (1) The hunting of foxes.

13 (2) The hunting of coyotes.

14 (3) Any hunting which occurs on noncommercial regulated  
15 hunting grounds holding a valid permit under section 2928(b)  
16 (2) (relating to regulated hunting grounds permits).

17 (4) Hunting on three Sundays each calendar year, as  
18 follows:

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

21 (ii) One day of Sunday hunting shall be instituted  
22 by the commission during the Statewide deer archery  
23 season.

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

26 Authority to hunt on any Sunday instituted by the commission  
27 under this paragraph shall not apply to any person required  
28 to secure a hunting license who attempts to hunt on private  
29 land without obtaining written permission of the landowner,  
30 an agent of the landowner or lessee.

1 (c) Penalty.--A violation of this section is a summary  
2 offense of the fifth degree.]

3 Section 4. Title 34 is amended by adding a section to read:

4 § 2303.1. Hunting on Sunday.

5 (a) General rule.--The commission may institute Sunday  
6 hunting by regulation promulgated in accordance with section  
7 2102 (relating to regulations).

8 (b) Applicability.--Authority to hunt on any Sunday  
9 instituted by the commission under subsection (a) shall not  
10 apply to any person required to secure a hunting license who  
11 attempts to hunt on private land without obtaining written  
12 permission of the landowner, an agent of the landowner or a  
13 lessee.

14 (c) Lawful hunting.--It shall be lawful for a person to hunt  
15 for any furbearer or game on Sunday on and after the publication  
16 of the final regulation under subsection (a).

17 Section 5. Sections 2314(a), (b) and (c) and 2315(a) of  
18 Title 34 are amended to read:

19 § 2314. Trespass on private property while hunting.

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

23 (1) enters or remains on any land of another without  
24 authorization to do so, when the land is posted in a manner  
25 prescribed by law or reasonably likely to come to the  
26 person's attention [or is fenced or enclosed in a manner  
27 manifestly designed to exclude trespassers; or];

28 (2) enters or remains on any land of another without  
29 authorization and defies an order not to enter or to leave  
30 that has been personally communicated to the person by the

1 owner of the land or other authorized person[.];

2 (3) enters or remains on any land of another without  
3 authorization to do so, when the land is fenced or enclosed  
4 in a manner manifestly designed to exclude trespassers; or

5 (4) subject to subsection (b), enters or remains on any  
6 land of another without authorization to do so when notice  
7 against trespass is given by the placement of identifying  
8 purple paint marks on trees or posts on the property, which  
9 are:

10 (i) vertical lines of not less than eight inches in  
11 length and not less than one inch in width;

12 (ii) placed in a manner so that the bottom of the  
13 mark is not less than three feet from the ground and not  
14 more than five feet from the ground; and

15 (iii) placed at locations that are readily visible  
16 to a person approaching the property and no more than 100  
17 feet apart.

18 (b) Applicability.--

19 (1) This section shall not apply to an unarmed person  
20 who enters onto posted property for the sole purpose of  
21 retrieving a hunting dog.

22 (2) Subsection (a) (4) shall not apply in a county of the  
23 first class or a county of the second class.

24 (c) Penalty.--An offense under this section shall be graded  
25 as follows:

26 (1) A person who violates subsection (a) (1), (3) or (4)  
27 commits a summary offense of the [third degree.] second  
28 degree and may result in forfeiture of the privilege to hunt  
29 or take game or wildlife anywhere within this Commonwealth  
30 for a period of up to one year.

1 (2) A person who violates subsection (a) (2) commits a  
2 misdemeanor[.] and shall result in forfeiture of the  
3 privilege to hunt or take game or wildlife anywhere within  
4 this Commonwealth for a period of three years.

5 (3) A person who commits a second or subsequent  
6 violation of this section within a seven-year period commits  
7 a misdemeanor, and the second or subsequent violation shall  
8 result in forfeiture of the privilege to hunt or take game or  
9 wildlife anywhere within this Commonwealth for a period of  
10 [one year] five years.

11 \* \* \*

12 § 2315. Hunting on Sunday without written permission.

13 (a) General rule.--A person required to secure a hunting  
14 license to hunt commits an offense if, while engaged in hunting  
15 on Sunday under section [2303(b.1) (4) (relating to hunting on  
16 Sunday prohibited)] 2303.1 (relating to hunting on Sunday), the  
17 person enters private land without obtaining written permission  
18 of the landowner, an agent of the landowner or lessee.

19 \* \* \*

20 Section 6. Title 34 is amended by adding a section to read:

21 § 2931. Agriculture access permit list.

22 (a) Permit list.--The commission shall create the  
23 agriculture access permit list to connect licensed hunters with  
24 private agricultural landowners for the purpose of crop damage  
25 mediation.

26 (b) Applications.--An individual may submit an application  
27 for placement on the list and a permit under this section in a  
28 form and manner determined by the commission. The commission  
29 shall provide an applicant with the option of applying for  
30 placement on the list and a permit under this section when the

1 applicant is purchasing the applicant's hunting license. The  
2 following shall apply:

3 (1) By selecting the option specified under this  
4 subsection, the applicant shall give the commission the right  
5 to share the information authorized under subsection (d) upon  
6 approval of the application.

7 (2) The applicant may reapply for placement on the list  
8 and a permit under this section based on the criteria under  
9 subsection (c).

10 (c) Criteria.--In order to be eligible for placement on the  
11 list and a permit under this section, an applicant shall meet  
12 all of the following criteria at the time of submission of the  
13 application under subsection (b):

14 (1) Has not committed an offense under this title in the  
15 prior seven years.

16 (2) Be 18 years of age or older.

17 (3) Furnish proof of a valid hunting license and tags  
18 for the game or wildlife that the applicant will be hunting  
19 on the eligible hunting grounds.

20 (d) Retention of records.--The commission shall retain all  
21 of the following:

22 (1) The name of each applicant and corresponding records  
23 containing each applicant's name, telephone number and  
24 municipality.

25 (2) Each application approved under subsection (e).

26 (3) Each application disapproved under subsection (e)  
27 and reasons for the disapproval. Notwithstanding the act of  
28 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know  
29 Law, or any other provision of law, the commission may not  
30 publicly disclose the reasons for the disapproval of an



1 application.

2 (e) Notice.--The commission shall, via telephone, first  
3 class mail or email, notify an applicant who has been approved  
4 or disapproved for placement on the list and a permit under this  
5 section.

6 (f) Duration.--The commission shall issue a permit under  
7 this section in accordance with the duration of the license  
8 period under section 2707 (relating to license periods). Upon  
9 the expiration of the license period, the commission shall  
10 remove each permittee from the list.

11 (g) Landowners.--A private agricultural landowner may  
12 request the list from the commission, including each permittee's  
13 name, telephone number, municipality and county preference.

14 (h) Guidelines.--A permittee shall adhere to guidelines  
15 specified by a private agricultural landowner when conducting  
16 hunting activities on the landowner's property if the guidelines  
17 are in accordance with the commission's regulations, including  
18 all of the following:

19 (1) Specific days access is allowed to the property.

20 (2) Specific game species or sex of game species that  
21 are available for harvest.

22 (i) Boundaries.--The boundaries of the premises covered by a  
23 permit under this section as eligible hunting grounds shall be  
24 grounds which are owned by a private agricultural landowner who  
25 entered into an agreement with a permittee to conduct hunting  
26 activities on the landowner's land.

27 (j) Termination of access.--A private agricultural landowner  
28 may terminate an agreement specified under subsection (i) for  
29 any reason at any time if the landowner provides 24 hours'  
30 notice of the termination to a permittee. Upon the private

1 agricultural landowner providing notice under this subsection,  
2 the permittee shall cease hunting activities on the landowner's  
3 land.

4 (k) Removal from list.--A permittee shall relinquish the  
5 permittee's placement on the list and permit under this section  
6 if the permittee:

7 (1) commits an offense under this title;

8 (2) fails to comply with guidelines under subsection  
9 (h); or

10 (3) submits a request to the commission to be removed  
11 from the list.

12 (l) Limitations.--The commission shall limit the list for  
13 the purposes specified under this section, including connecting  
14 licensed hunters with private agricultural landowners. The  
15 commission may not share the list in a manner not specified  
16 under this section.

17 (m) Definitions.--As used in this section, the following  
18 words and phrases shall have the meanings given to them in this  
19 subsection unless the context clearly indicates otherwise:

20 "Applicant." An individual who submits an application under  
21 subsection (b) for placement on the list and a permit under this  
22 section.

23 "Eligible hunting grounds." Hunting grounds that are located  
24 on any of the following:

25 (1) Privately owned land.

26 (2) Land and water combined where the ground is wholly,  
27 or in part, regularly and continuously engaged in cultivating  
28 the soil for general farm crop purposes, commercial truck  
29 growing, commercial orchards or commercial nurseries.

30 "List." The agriculture access permit list created under

1 subsection (a).

2 "Permittee." An individual who has been placed on the list  
3 and holds a permit under this section.

4 Section 7. This act shall take effect as follows:

5 (1) The repeal of 34 Pa.C.S. § 2303 shall take effect on  
6 the publication of regulations by the commission under 34  
7 Pa.C.S. § 2303.1.

8 (2) This section shall take effect immediately.

9 (3) The remainder of this act shall take effect in 60  
10 days.