

No. 2004-48

AN ACT

HB 659

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

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

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

§ 2301. Prima facie evidence of hunting.

* * *

(b) Lawful cooperation or assistance.—Notwithstanding any other provision of this title to the contrary, any person who has lawfully taken the bag or season limit for a particular species of game or wildlife *or any person who meets the requirements of section 2701(c) (relating to license requirements)* may aid, assist, abet or cooperate in any manner specified by *this title or* commission regulations with another person who is engaged in any lawful activity permitted by this title or the regulations of the commission.

§ 2701. License requirements.

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

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

(c) *Exception.—Any person who has never held a hunting license in Pennsylvania or any other state may participate in the hunting and trapping activities authorized under this title or commission regulations without compliance with subsection (a) or section 2704 (relating to eligibility for license) if that person satisfies all of the following requirements:*

(1) The person who participates in the hunting or trapping activities must always be in sight of and close enough to a licensed hunter who is at least 18 years of age to clearly hear and understand instructions communicated to the person through normal conversation without the aid of any device. The licensed hunter shall have a valid hunting license for the game or wildlife they are hunting or qualify for license and fee

exemptions under section 2706 (relating to resident license and fee exemptions).

(2) The unlicensed person may not possess, convey or use any firearm, bow or any other device that may be used to harvest game or furbearers.

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

(4) The unlicensed person who participates in any hunting party shall be listed on any required hunting roster and shall count as a member of the hunting party for purposes of section 2324 (relating to roster of parties hunting big game) and commission regulations relating to big game animal hunting roster and parties hunting small game.

(5) For the purposes of this section, at no time shall a licensed hunter accompany more than one unlicensed person.

Section 2. This act shall take effect immediately.

APPROVED—The 28th day of June, A.D. 2004.

EDWARD G. RENDELL