

No. 240

AN ACT

HB 1829

Amending the act of June 3, 1937 (P.L.1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," making it lawful for certain handicapped persons to hunt big game with semi-automatic shotguns.

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

Section 1. Subsection (a) of section 704, act of June 3, 1937 (P.L.1225), known as "The Game Law," amended July 3, 1963 (P.L.208), is amended to read:

(a) Unlawful Methods and Devices

Section 704. Unlawful Methods of Hunting.—It is unlawful for any person to shoot at or to shoot for any wild bird or wild animal unless it is plainly visible to him, or to dig, cut, or smoke or in any other manner take any live wild bird or wild animal, other than a predator, out of its den or place of refuge, except that woodchucks may be dug out of their dens in cultivated fields, under the conditions stipulated in the preceding section.

Except as otherwise provided, it is unlawful to hunt for, catch, take, kill, or wound, or attempt to catch, take, kill, or wound any wild bird or wild animal of any kind through the use of, (a) what is commonly known as an automatic gun or an automatic firearm of any kind, except that semi-automatic shotguns may be used for hunting and killing small game, predators, and unprotected birds; *and except that a semi-automatic shotgun may be used for hunting and killing big game by a person having suffered an amputation of one or both hands if the shotgun has been limited to a three-shell capacity in magazine and chamber combined by a plug in such a manner that the plug cannot be removed without disassembling the gun;* (b) or a magazine shotgun to hunt for any bird or animal, other than big game, unless it has been limited to three-shell capacity in magazine and chamber combined by a plug in such a manner that the plug cannot be removed without disassembling the gun, or a swivel gun or an air-rifle, or the apparatus known as a silencer; (c) or from an automobile or vehicle or boat or craft of any kind, propelled by any mechanical power; (d) or to set, lay or prepare for use or to use any bait, hay, grain or other food, or any trap, snare, set-gun, net, bird-lime, deer-lick, pit-fall, turkey blind or turkey pen; the term "set-gun" as herein used meaning any contrivance, device, or firearm capable of discharging, or projecting, a deadly charge or missile, which is set to operate in the absence of the owner; (e) or to make use of, or take advantage of, any artificial light, battery, or other contrivance or device, except that artificial lights such as are ordinarily carried in the hand or on the person,

may be used for the purpose of taking raccoons, opossums, skunks and foxes; (f) or to make use of any method or device not specifically permitted by this act, for the purpose of catching, taking, wounding, or killing wild birds or wild animals.

* * *

APPROVED—The 18th day of October, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 240.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large, prominent initial "C".

Secretary of the Commonwealth.