

No. 97

AN ACT

HB 1304

Amending the act of June 3, 1937 (P.L.1225, No.316), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," providing for an open season for hunting deer with muzzleloading firearms, establishing a muzzleloading firearms deer season license and providing penalties.

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

Section 1. Section 501, act of June 3, 1937 (P.L.1225, No.316), known as "The Game Law," is amended by adding a subsection to read:

Section 501. Open Seasons.—* * *

(f) Muzzleloading Firearms Deer Season.—The commission may, by resolution, declare an open season for hunting deer with muzzleloading firearms during any hunting license year which shall hereinafter be known and referred to as Muzzleloading Firearms Deer Season.

In any year in which a Muzzleloading Firearms Deer Season shall be declared as hereinbefore provided, the Muzzleloading Firearms Deer Season shall not be established prior to the close of the regular rifle deer seasons for the then current hunting license year. The commission shall, notwithstanding any other provisions of this act, adopt rules and regulations governing the hunting and killing of deer during such Muzzleloading Firearms Deer Season which shall include but not be limited to, the duration and time of such deer season, the description of the deer which may lawfully be killed, the type of muzzleloading firearms which may lawfully be used to hunt for and kill deer during such season, the area or areas within the Commonwealth where deer may lawfully be hunted and killed, and any other rules and regulations deemed necessary to properly regulate, manage, and control the hunting and killing of deer during such season. For the purposes of this section, a muzzleloading firearm shall not be less than .44 calibre and shall not be equipped with a telescope.

It shall be unlawful for any person to hunt for, take, kill or wound, or attempt to take, or kill, or for any person to aid or assist in any manner to hunt for, take, kill or wound deer during such Muzzleloading Firearms Deer Season without first having legally obtained a resident, nonresident or alien hunter's license as defined in sections 302 and 303 of this act and, in addition thereto, a Muzzleloading Firearms Deer Season license which may be obtained from the commission or any agent designated by the commission to issue such licenses, the fee for which is hereby fixed at three dollars twenty-five cents (\$3.25). Such license shall be in such form as the commission shall prescribe and shall be valid from

the first day of September of one year to the thirty-first day of August of the year next following. The lawful holder of such license shall sign his full name in ink diagonally across its face before hunting deer in the open season herein provided for and shall carry such license upon his person at all times while hunting during such season.

Any agent designated by the commission to issue Muzzleloading Firearms Deer Season licenses may retain the sum of twenty-five cents (\$.25) of the hereinbefore prescribed license fee for each such license issued as payment for services rendered. The several provisions of this act governing the issuance of hunting licenses by issuing agents with respect to keeping records, filing reports, and collecting and remitting license fees shall apply in like manner, force and effect to agents designated by the commission to issue Muzzleloading Firearms Deer Season licenses.

It shall be unlawful for any person to hunt for, take, kill or wound or attempt to take, kill or wound, or to aid or assist any person in any manner to hunt for, take, kill or wound deer during such Muzzleloading Firearms Deer Season contrary to the provisions of this section or rules and regulations adopted by the commission as hereinbefore provided.

Any person who shall violate any of the provisions of this section or any rules and regulations adopted by the commission pursuant thereto, shall, upon conviction, be sentenced to pay the penalties prescribed in section 506 of this act.

Section 2. Section 506 of the act is amended by adding clauses to read:

Section 506. Penalties.—* * *

(h) Failure of lawful holder of Muzzleloading Firearms Deer Season license to sign his full name in ink diagonally across its face, two dollars (\$2).

(i) Failure to carry the required Muzzleloading Firearms Deer Season license on his person while hunting for deer during such season, ten dollars (\$10).

(j) Hunting for deer during the Muzzleloading Firearms Deer Season, or for aiding or assisting any person in any manner to hunt for deer during such season without first having obtained the required license, or for using a license belonging to another person, twenty dollars (\$20).

* * *

Section 3. This act shall take effect September 1, 1974.

APPROVED—The 31st day of May, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 97.

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.