

No. 45

AN ACT

HB 925

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," increasing the penalty for hunting without a nonresident hunter's license.

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

Section 1. Section 321, act of June 3, 1937 (P.L.1225, No.316), known as "The Game Law," amended June 13, 1961 (P.L.295, No.174), is amended to read:

Section 321. Penalties.—Any nonresident of this Commonwealth who shall hunt, chase, trap, take, shoot at, wound, or kill, or attempt to hunt, chase, trap, take, shoot at, wound, kill, or have in possession any wild birds or animals, without a nonresident hunting or trapping license having been lawfully issued to him, shall be sentenced to pay a fine of **[fifty dollars (\$50)] one hundred dollars (\$100)** and costs of prosecution for each offense, and each day shall be considered a separate offense.

Any person who shall fail to sign his license certificate as hereinbefore provided shall be sentenced to pay a fine of two dollars (\$2) and costs of prosecution.

Any person, properly licensed, who shall fail to display his license tag as hereinbefore provided, shall be sentenced to pay a fine of five dollars (\$5) and costs of prosecution, provided it is shown the person has purchased a license; otherwise, *if a resident of Pennsylvania*, a penalty of twenty dollars (\$20) and costs of prosecution shall be imposed, *and if a nonresident, a penalty of one hundred dollars (\$100) and costs of prosecution shall be imposed.*

Any person who violates any of the provisions of this article except as above provided, shall, upon conviction, be sentenced to pay a fine of twenty dollars (\$20) and costs of prosecution of each offense: Provided, That an additional fine of twenty dollars (\$20) and costs of prosecution shall be imposed when any person is convicted of:

(a) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission, or by this act, and each day shall be considered a separate offense;

(b) Securing a hunter's license either in his own or an assumed name during any period of time that he has been denied such privilege by the commission;

(c) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission or any court of record because of inflicting bodily injury upon himself or any other person while

hunting or trapping, shall, upon conviction, in addition to the penalties provided, be sentenced to suffer imprisonment for a period of thirty (30) days.

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution, and in addition thereto shall, in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

Section 2. This act shall take effect immediately.

APPROVED—The 14th day of April, A. D. 1976.

MILTON J. SHAPP