

No. 1983-35

## AN ACT

HB 166

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," further providing for the disturbing of traps; and providing penalties for harassment of wildlife.

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

Section 1. Section 607 of the act of June 3, 1937 (P.L.1225, No.316), known as The Game Law, amended May 23, 1947 (P.L.317, No.139), is amended to read:

Section 607. Disturbing Traps of Another.—*[It] Except as hereafter provided, it is unlawful for any person to disturb the traps of another, or to take a fur-bearing animal, raccoon or predator from the traps of another, unless specifically authorized by the owner of the trap.*

Except as otherwise provided by law, and unless traps are set on private property without the permission of the owners or occupiers of the property, it is unlawful for any person to tamper with, disturb, mutilate, destroy or remove any trap or other device set by an officer or any other agent of the commission for the purpose of trapping wild animals or birds, or to interfere in any manner whatsoever with such trapping operation, or to remove or attempt to remove any animal or bird from such trap or device.

*When traps are set on private property without the permission of the landowner, lessees or their employes, the owner, lessees or their employes may remove the traps and notify an officer of the commission within forty-eight hours. All traps removed shall be turned over to a commission officer. The officer shall notify the trapper within ten (10) days to claim the traps. If the traps are not claimed within thirty (30) days following notification or the trapper cannot be located, the traps shall be forfeited to the commission.*

Section 2. The act is amended by adding a section to read:

*Section 732. Harassment of Wildlife.—(a) Any person is guilty of an unlawful act if he harasses, drives or disturbs any wildlife with the intent of disrupting the lawful taking, killing or wounding or the attempted lawful taking, killing or wounding of any wildlife. Such a person shall, upon conviction, be sentenced to a fine of up to five hundred dollars (\$500), imprisonment for up to thirty (30) days, or both.*

*(b) This section shall not apply to any owner of land or to any member of the commission, the director of the commission, any lawfully qualified representative of the commission or any other law enforcement officer engaged in any otherwise lawful action.*

Section 3. This act shall take effect in 60 days.

APPROVED—The 28th day of July, A. D. 1983.

DICK THORNBURGH