

No. 2019-107

AN ACT

SB 147

Amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in Pennsylvania Game Commission, further providing for accountability; and, in hunting and furtaking, further providing for hunting on Sunday prohibited and for trespass on private property while hunting and providing for hunting on Sunday without written permission.

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

Section 1. Section 328 of Title 34 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read:

§ 328. Accountability.

* * *

(f) Financial analysis.—

(1) Within 180 days of the effective date of this subsection, the Legislative Budget and Finance Committee shall prepare a financial analysis of fees, fines, penalties, royalties, Federal and State appropriations and other sources of revenue received by the commission and of expenditures, including annual operating costs, investments, land purchases and capital projects, to carry out the financial analysis under this subsection:

(i) The commission shall provide records, financial statements and other documents reflecting the revenue and expenditures subject to the financial analysis under this subsection.

(ii) The commission shall respond to inquiries and requests for information from the Legislative Budget and Finance Committee in a timely manner.

(iii) The Legislative Budget and Finance Committee shall include its most recent performance audit under section 522(b) (relating to appropriation and audit of moneys).

(2) The financial analysis shall be submitted to the President pro tempore of the Senate, chair of the Game and Fisheries Committee of the Senate, Speaker of the House of Representatives and chair of the Game and Fisheries Committee of the House of Representatives. The financial analysis shall be public information.

Section 2. Section 2303(b.1) of Title 34 is amended by adding a paragraph to read:

§ 2303. Hunting on Sunday prohibited.

* * *

(b.1) Exceptions.—Subsection (a) shall not apply to:

* * *

(4) Hunting on three Sundays each calendar year, as follows:

(i) One day of Sunday hunting shall be instituted by the commission during the deer rifle season.

(ii) One day of Sunday hunting shall be instituted by the commission during the Statewide deer archery season.

(iii) One day of Sunday hunting as determined by the commission shall be instituted by the commission.

Authority to hunt on any Sunday instituted by the commission under this paragraph shall not apply to any person required to secure a hunting license who attempts to hunt on private land without obtaining written permission of the landowner, an agent of the landowner or lessee.

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Section 3. Section 2314 of Title 34 is amended to read:

§ 2314. Trespass on private property while hunting.

[(a) General rule.—Any person who while violating any provision of this title or any regulations promulgated under this title and who in addition is found to be trespassing as defined in 18 Pa.C.S. § 3503 (relating to criminal trespass) shall be in violation of this section.

(b) Penalty.—A violation of this section:

(1) A violation of this section is a summary offense of the fifth degree.

(2) A second or subsequent violation of this section within a seven-year period is a summary offense of the fifth degree and may result in forfeiture of the privilege to hunt or take game or wildlife anywhere within this Commonwealth for a period of one year.]

(a) General rule.—A person, while engaged in hunting or furtaking, commits an offense if, knowing that the person is not licensed or privileged to do so, the person:

(1) enters or remains on any land of another without authorization to do so, when the land is posted in a manner prescribed by law or reasonably likely to come to the person's attention or is fenced or enclosed in a manner manifestly designed to exclude trespassers; or

(2) enters or remains on any land of another without authorization and defies an order not to enter or to leave that has been personally communicated to the person by the owner of the land or other authorized person.

(b) Applicability.—This section shall not apply to an unarmed person who enters onto posted property for the sole purpose of retrieving a hunting dog.

(c) Penalty.—An offense under this section shall be graded as follows:

(1) A person who violates subsection (a)(1) commits a summary offense of the third degree.

(2) A person who violates subsection (a)(2) commits a misdemeanor.

(3) A person who commits a second or subsequent violation of this section within a seven-year period commits a misdemeanor, and the second or subsequent violation shall result in forfeiture of the privilege to hunt or take game or wildlife anywhere within this Commonwealth for a period of one year.

(d) Enforcement.—The director shall authorize the police department of each municipal corporation to assist in the enforcement of this section

as necessary, in addition to those under section 903 (relating to delegation of enforcement powers).

Section 4. Title 34 is amended by adding a section to read:

§ 2315. *Hunting on Sunday without written permission.*

(a) General rule.—A person required to secure a hunting license to hunt commits an offense if, while engaged in hunting on Sunday under section 2303(b.1)(4) (relating to hunting on Sunday prohibited), the person enters private land without obtaining written permission of the landowner, an agent of the landowner or lessee.

(b) Penalty.—A person who violates subsection (a) commits a summary offense of the third degree.

Section 5. This act shall take effect in 90 days.

APPROVED—The 27th day of November, A.D. 2019

TOM WOLF