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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1603 Session of  
2017

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INTRODUCED BY B. MILLER, ZIMMERMAN, GODSHALL, A. HARRIS, RADER,  
WARD, ORTITAY, WENTLING, ENGLISH, NELSON, PEIFER, IRVIN,  
M. K. KELLER, KAVULICH, BAKER, DIAMOND, EVERETT, SACCONI,  
SCHEMEL, MCGINNIS, SANKEY AND TALLMAN, JUNE 22, 2017

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REFERRED TO COMMITTEE ON GAME AND FISHERIES, JUNE 22, 2017

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AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated  
2 Statutes, in hunting and furtaking, further providing for  
3 trespass on private property while hunting.

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

6 Section 1. Section 2314 of Title 34 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 2314. Trespass on private property while hunting.

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

14 (b) Penalty.--A violation of this section:

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

17 (2) A second or subsequent violation of this section

1 within a seven-year period is a summary offense of the fifth  
2 degree and may result in forfeiture of the privilege to hunt  
3 or take game or wildlife anywhere within this Commonwealth  
4 for a period of one year.]

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

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

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

17 (b) Penalty.--An offense under this section shall be graded  
18 as follows:

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

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

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

29 Section 2. This act shall take effect in 60 days.