

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 147 Session of 2019

INTRODUCED BY LAUGHLIN, BREWSTER, STREET AND YAW, FEBRUARY 1, 2019

SENATOR LAUGHLIN, GAME AND FISHERIES, AS AMENDED, FEBRUARY 5, 2019

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, IN PENNSYLVANIA GAME COMMISSION, FURTHER PROVIDING <--
3 FOR ACCOUNTABILITY; AND, in hunting and furtaking, further
4 providing for hunting on Sunday prohibited, providing for
5 hunting on Sunday and further providing for trespass on
6 private property while hunting.

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

9 ~~Section 1. Section 2303 of Title 34 of the Pennsylvania~~ <--
10 ~~Consolidated Statutes is amended by adding a subsection to read:~~

11 SECTION 1. SECTIONS 328 AND 2303 OF TITLE 34 OF THE <--
12 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED BY ADDING
13 SUBSECTIONS TO READ:

14 § 328. ACCOUNTABILITY.

15 \* \* \*

16 (F) FINANCIAL ANALYSIS.--

17 (1) WITHIN 180 DAYS OF THE EFFECTIVE DATE OF THIS
18 SUBSECTION, THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE
19 SHALL PREPARE A FINANCIAL ANALYSIS OF FEES, FINES, PENALTIES,

1 ROYALTIES, FEDERAL AND STATE APPROPRIATIONS AND OTHER SOURCES  
2 OF REVENUE RECEIVED BY THE COMMISSION AND OF EXPENDITURES,  
3 INCLUDING ANNUAL OPERATING COSTS, INVESTMENTS, LAND PURCHASES  
4 AND CAPITAL PROJECTS TO CARRY OUT THE FINANCIAL ANALYSIS  
5 UNDER THIS SUBSECTION:

6 (I) THE COMMISSION SHALL PROVIDE RECORDS, FINANCIAL  
7 STATEMENTS AND OTHER DOCUMENTS REFLECTING THE REVENUE AND  
8 EXPENDITURES SUBJECT TO THE FINANCIAL ANALYSIS UNDER THIS  
9 SUBSECTION.

10 (II) THE COMMISSION SHALL RESPOND TO INQUIRIES AND  
11 REQUESTS FOR INFORMATION FROM THE LEGISLATIVE BUDGET AND  
12 FINANCE COMMITTEE IN A TIMELY MANNER.

13 (III) THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE  
14 SHALL INCLUDE ITS MOST RECENT PERFORMANCE AUDIT UNDER  
15 SECTION 522(B) (RELATING TO APPROPRIATION AND AUDIT OF  
16 MONEYS).

17 (2) THE FINANCIAL ANALYSIS SHALL BE SUBMITTED TO THE  
18 PRESIDENT PRO TEMPORE OF THE SENATE, CHAIR OF THE GAME AND  
19 FISHERIES COMMITTEE OF THE SENATE, SPEAKER OF THE HOUSE OF  
20 REPRESENTATIVES AND THE CHAIR OF THE GAME AND FISHERIES  
21 COMMITTEE OF THE HOUSE OF REPRESENTATIVES. THE FINANCIAL  
22 ANALYSIS SHALL BE PUBLIC INFORMATION.

23 § 2303. Hunting on Sunday prohibited.

24 \* \* \*

25 (d) Expiration.--This section shall expire upon the  
26 publication of the regulation under section 2303.1(b) (relating  
27 to hunting on Sunday).

28 Section 2. Title 34 is amended by adding a section to read:

29 § 2303.1. Hunting on Sunday.

30 (a) General rule.--The commission may institute Sunday

1 hunting by regulation promulgated in accordance with section  
2 2102 (relating to regulations).

3 (b) Applicability.--It shall be lawful for a person to hunt  
4 for any furbearer or game on Sunday on and after the publication  
5 of the final regulation under subsection (a).

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

7 § 2314. Trespass on private property while hunting.

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

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

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

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

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

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

29 (2) enters or remains on any land of another without  
30 authorization and defies an order not to enter or to leave

1 that has been personally communicated to the person by the  
2 owner of the land or other authorized person.

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

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

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

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

15 Section 4. This act shall take effect in 60 days.