

AMENDMENTS TO SENATE BILL NO. 67

Sponsor: SENATOR ROTHMAN

Printer's No. 345

1 Amend Bill, page 1, line 4, by inserting after "providing"
2 for the offense of trespass on private property while hunting
3 and

4 Amend Bill, page 3, line 7, by striking out "Section" where
5 it occurs the second time and inserting

6 Sections 2314(a), (b) and (c) and

7 Amend Bill, page 3, line 7, by striking out "is" and
8 inserting

9 are

10 Amend Bill, page 3, by inserting between lines 7 and 8

11 § 2314. Trespass on private property while hunting.

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

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

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

24 (3) enters or remains on any land of another without
25 authorization to do so, when the land is fenced or enclosed
26 in a manner manifestly designed to exclude trespassers; or

27 (4) subject to subsection (b), enters or remains on any
28 land of another without authorization to do so when notice
29 against trespass is given by the placement of identifying
30 purple paint marks on trees or posts on the property, which
31 are:

32 (i) vertical lines of not less than eight inches in
33 length and not less than one inch in width;

1 (ii) placed in a manner so that the bottom of the
2 mark is not less than three feet from the ground and not
3 more than five feet from the ground; and

4 (iii) placed at locations that are readily visible
5 to a person approaching the property and no more than 100
6 feet apart.

7 (b) Applicability.--

8 (1) This section shall not apply to an unarmed person
9 who enters onto posted property for the sole purpose of
10 retrieving a hunting dog.

11 (2) Subsection (a) (4) shall not apply in a county of the
12 first class or a county of the second class.

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

15 (1) A person who violates subsection (a) (1), (3) or (4)
16 commits a summary offense of the [third degree.] second
17 degree and shall result in forfeiture of the privilege to
18 hunt or take game or wildlife anywhere within this
19 Commonwealth for a period of up to one year.

20 (2) A person who violates subsection (a) (2) commits a
21 misdemeanor[.] and shall result in forfeiture of the
22 privilege to hunt or take game or wildlife anywhere within
23 this Commonwealth for a period of three years.

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

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