

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 67 Session of 2023

INTRODUCED BY LAUGHLIN, ROBINSON AND BREWSTER, FEBRUARY 21, 2023

SENATOR ROTHMAN, GAME AND FISHERIES, AS AMENDED, MARCH 20, 2024

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in hunting and furtaking, repealing provisions
3 relating to hunting on Sunday prohibited, providing for
4 hunting on Sunday and further providing FOR THE OFFENSE OF <--
5 TRESPASS ON PRIVATE PROPERTY WHILE HUNTING AND for hunting on
6 Sunday without written permission.

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10 Consolidated Statutes is repealed:

11 [§ 2303. Hunting on Sunday prohibited.

12 (a) General rule.--Except as otherwise provided in this
13 title, it is unlawful for any person to hunt for any furbearer
14 or game on Sunday.

15 (b) Construction of section.--This section shall not be
16 construed to prohibit:

17 (1) The training of dogs.

18 (2) The participation in dog trials as provided for in
19 this title.

20 (3) The removal of lawfully taken game or wildlife from

1 traps or the resetting of the traps on Sunday.

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

3 (1) The hunting of foxes.

4 (2) The hunting of coyotes.

5 (3) Any hunting which occurs on noncommercial regulated
6 hunting grounds holding a valid permit under section 2928(b)
7 (2) (relating to regulated hunting grounds permits).

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

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

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

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

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

22 (c) Penalty.--A violation of this section is a summary
23 offense of the fifth degree.]

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

25 § 2303.1. Hunting on Sunday.

26 (a) General rule.--The commission may institute Sunday
27 hunting by regulation promulgated in accordance with section
28 2102 (relating to regulations).

29 (b) Applicability.--Authority to hunt for big game on any
30 Sunday instituted by the commission under subsection (a) shall

1 not apply to any person required to secure a hunting license who
2 attempts to hunt on private land without obtaining written
3 permission of the landowner, an agent of the landowner or a
4 lessee.

5 (c) Lawful hunting.--It shall be lawful for a person to hunt
6 for any furbearer or game on Sunday on and after the publication
7 of the final regulation under subsection (a).

8 Section 3. ~~Section~~ SECTIONS 2314(A), (B) AND (C) AND 2315(a) <--
9 of Title 34 ~~is~~ ARE amended to read: <--

10 § 2314. TRESPASS ON PRIVATE PROPERTY WHILE HUNTING. <--

11 (A) GENERAL RULE.--A PERSON, WHILE ENGAGED IN HUNTING OR
12 FURTAKING, COMMITS AN OFFENSE IF, KNOWING THAT THE PERSON IS NOT
13 LICENSED OR PRIVILEGED TO DO SO, THE PERSON:

14 (1) ENTERS OR REMAINS ON ANY LAND OF ANOTHER WITHOUT
15 AUTHORIZATION TO DO SO, WHEN THE LAND IS POSTED IN A MANNER
16 PRESCRIBED BY LAW OR REASONABLY LIKELY TO COME TO THE
17 PERSON'S ATTENTION [OR IS FENCED OR ENCLOSED IN A MANNER
18 MANIFESTLY DESIGNED TO EXCLUDE TRESPASSERS; OR];

19 (2) ENTERS OR REMAINS ON ANY LAND OF ANOTHER WITHOUT
20 AUTHORIZATION AND DEFIES AN ORDER NOT TO ENTER OR TO LEAVE
21 THAT HAS BEEN PERSONALLY COMMUNICATED TO THE PERSON BY THE
22 OWNER OF THE LAND OR OTHER AUTHORIZED PERSON[.];

23 (3) ENTERS OR REMAINS ON ANY LAND OF ANOTHER WITHOUT
24 AUTHORIZATION TO DO SO, WHEN THE LAND IS FENCED OR ENCLOSED
25 IN A MANNER MANIFESTLY DESIGNED TO EXCLUDE TRESPASSERS; OR

26 (4) SUBJECT TO SUBSECTION (B), ENTERS OR REMAINS ON ANY
27 LAND OF ANOTHER WITHOUT AUTHORIZATION TO DO SO WHEN NOTICE
28 AGAINST TRESPASS IS GIVEN BY THE PLACEMENT OF IDENTIFYING
29 PURPLE PAINT MARKS ON TREES OR POSTS ON THE PROPERTY, WHICH
30 ARE:

1 (I) VERTICAL LINES OF NOT LESS THAN EIGHT INCHES IN
2 LENGTH AND NOT LESS THAN ONE INCH IN WIDTH;

3 (II) PLACED IN A MANNER SO THAT THE BOTTOM OF THE
4 MARK IS NOT LESS THAN THREE FEET FROM THE GROUND AND NOT
5 MORE THAN FIVE FEET FROM THE GROUND; AND

6 (III) PLACED AT LOCATIONS THAT ARE READILY VISIBLE
7 TO A PERSON APPROACHING THE PROPERTY AND NO MORE THAN 100
8 FEET APART.

9 (B) APPLICABILITY.--

10 (1) THIS SECTION SHALL NOT APPLY TO AN UNARMED PERSON
11 WHO ENTERS ONTO POSTED PROPERTY FOR THE SOLE PURPOSE OF
12 RETRIEVING A HUNTING DOG.

13 (2) SUBSECTION (A) (4) SHALL NOT APPLY IN A COUNTY OF THE
14 FIRST CLASS OR A COUNTY OF THE SECOND CLASS.

15 (C) PENALTY.--AN OFFENSE UNDER THIS SECTION SHALL BE GRADED
16 AS FOLLOWS:

17 (1) A PERSON WHO VIOLATES SUBSECTION (A) (1), (3) OR (4)
18 COMMITS A SUMMARY OFFENSE OF THE [THIRD DEGREE.] SECOND
19 DEGREE AND SHALL RESULT IN FORFEITURE OF THE PRIVILEGE TO
20 HUNT OR TAKE GAME OR WILDLIFE ANYWHERE WITHIN THIS
21 COMMONWEALTH FOR A PERIOD OF UP TO ONE YEAR.

22 (2) A PERSON WHO VIOLATES SUBSECTION (A) (2) COMMITS A
23 MISDEMEANOR[.] AND SHALL RESULT IN FORFEITURE OF THE
24 PRIVILEGE TO HUNT OR TAKE GAME OR WILDLIFE ANYWHERE WITHIN
25 THIS COMMONWEALTH FOR A PERIOD OF THREE YEARS.

26 (3) A PERSON WHO COMMITS A SECOND OR SUBSEQUENT
27 VIOLATION OF THIS SECTION WITHIN A SEVEN-YEAR PERIOD COMMITS
28 A MISDEMEANOR, AND THE SECOND OR SUBSEQUENT VIOLATION SHALL
29 RESULT IN FORFEITURE OF THE PRIVILEGE TO HUNT OR TAKE GAME OR
30 WILDLIFE ANYWHERE WITHIN THIS COMMONWEALTH FOR A PERIOD OF

1 [ONE YEAR] FIVE YEARS.

2 * * *

3 § 2315. Hunting on Sunday without written permission.

4 (a) General rule.--A person required to secure a hunting
5 license to hunt commits an offense if, while engaged in hunting
6 on Sunday under section [2303(b.1)(4) (relating to hunting on
7 Sunday prohibited)] 2303.1 (relating to hunting on Sunday), the
8 person enters private land without obtaining written permission
9 of the landowner, an agent of the landowner or lessee.

10 * * *

11 Section 4. This act shall take effect as follows:

12 (1) The repeal of 34 Pa.C.S. § 2303 shall take effect on
13 the publication of regulations by the commission under 34
14 Pa.C.S. § 2303.1.

15 (2) This section shall take effect immediately.

16 (3) The remainder of this act shall take effect in 60
17 days.