

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2106 Session of 2024

INTRODUCED BY STEELE, PROBST, DELLOSO, GUENST, HILL-EVANS, KHAN, WAXMAN, DALEY, FRIEL, SCOTT, D. WILLIAMS, GREEN AND MADSEN, MARCH 14, 2024

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 26, 2024

AN ACT

1 ~~Amending Title 34 (Game) of the Pennsylvania Consolidated~~ <--  
2 ~~Statutes, in game or wildlife protection, further providing~~  
3 ~~for regulations; in hunting and furtaking, repealing~~  
4 ~~provisions relating to hunting on Sunday prohibited,~~  
5 ~~providing for hunting on Sunday, repealing provisions~~  
6 ~~relating to trespass on private property while hunting and to~~  
7 ~~hunting on Sunday without written permission, providing for~~  
8 ~~the offense of trespass on private land while hunting or~~  
9 ~~furtaking and for the offense of hunting, trapping or taking~~  
10 ~~game or wildlife without written permission and further~~  
11 ~~providing for training dogs on small game; in special~~  
12 ~~licenses and permits, further providing for field dog trials;~~  
13 ~~and imposing penalties.~~

14 AMENDING TITLE 34 (GAME) OF THE PENNSYLVANIA CONSOLIDATED <--  
15 STATUTES, IN HUNTING AND FURTAKING, REPEALING PROVISIONS  
16 RELATING TO HUNTING ON SUNDAY PROHIBITED, PROVIDING FOR  
17 TEMPORARY SUNDAY HUNTING AUTHORIZED AND FOR HUNTING AND  
18 TRAINING ON SUNDAY, REPEALING PROVISIONS RELATING TO TRESPASS  
19 ON PRIVATE PROPERTY WHILE HUNTING AND TO HUNTING ON SUNDAY  
20 WITHOUT WRITTEN PERMISSION, PROVIDING FOR THE OFFENSE OF  
21 TRESPASS ON PRIVATE LAND WHILE HUNTING OR FURTAKING AND FOR  
22 THE OFFENSE OF HUNTING, TRAPPING OR TAKING GAME OR WILDLIFE  
23 WITHOUT WRITTEN PERMISSION AND FURTHER PROVIDING FOR TRAINING  
24 DOGS ON SMALL GAME; IN SPECIAL LICENSES AND PERMITS, FURTHER  
25 PROVIDING FOR FIELD DOG TRIALS; AND IMPOSING PENALTIES.

26 The General Assembly of the Commonwealth of Pennsylvania

27 hereby enacts as follows:

28 ~~Section 1. Section 2102(b)(2) of Title 34 of the~~ <--

1 ~~Pennsylvania Consolidated Statutes is amended to read:~~

2 ~~§ 2102. Regulations.~~

3 ~~\* \* \*~~

4 ~~(b) Seasons, possession, bag limits and devices.~~

5 ~~\* \* \*~~

6 ~~(2) If in any year the commission fails to establish~~  
7 ~~seasons or bag limits or fails to establish other hunting or~~  
8 ~~furtaking regulations under authority of this title, the open~~  
9 ~~seasons and bag limits for game or furbearers, [Sundays~~  
10 ~~excepted,] unless otherwise provided by this title, and all~~  
11 ~~other hunting or furtaking regulations adopted under~~  
12 ~~authority of this title, shall be the same as set by~~  
13 ~~regulation of the commission for the previous license year,~~  
14 ~~and all seasons shall open and close one calendar day earlier~~  
15 ~~than the previous license year. In the event the commission~~  
16 ~~fails to establish seasons and bag limits for a license year~~  
17 ~~beginning in a leap year, the seasons shall open and close~~  
18 ~~two calendar days earlier than the previous license year.~~

19 ~~\* \* \*~~

20 ~~Section 2. Section 2303 of Title 34 is repealed:~~

21 ~~§ 2303. Hunting on Sunday prohibited.~~

22 ~~(a) General rule. Except as otherwise provided in this~~  
23 ~~title, it is unlawful for any person to hunt for any furbearer~~  
24 ~~or game on Sunday.~~

25 ~~(b) Construction of section. This section shall not be~~  
26 ~~construed to prohibit:~~

27 ~~(1) The training of dogs.~~

28 ~~(2) The participation in dog trials as provided for in~~  
29 ~~this title.~~

30 ~~(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 3. Title 34 is amended by adding a section to read:~~

25 ~~§ 2303.1. Hunting on Sunday.~~

26 ~~(a) General rule. Except as provided in subsection (b), an~~  
27 ~~individual who has secured a hunting license may lawfully hunt~~  
28 ~~for any furbearer or game on any day of the week, including~~  
29 ~~Sunday, in accordance with other State law that is not~~  
30 ~~inconsistent with this section.~~

1 ~~(b) Exception. Subsection (a) shall not apply to an~~  
2 ~~individual who attempts to hunt on private land without~~  
3 ~~obtaining written permission of the owner, an agent of the owner~~  
4 ~~or a lessee of the private land or another authorized person.~~

5 Section 4. Sections 2314 and 2315 of Title 34 are repealed:

6 ~~§ 2314. Trespass on private property while hunting.~~

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

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

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

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

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

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

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

28 ~~(3) A person who commits a second or subsequent~~  
29 ~~violation of this section within a seven year period commits~~  
30 ~~a misdemeanor, and the second or subsequent violation shall~~

1 ~~result in forfeiture of the privilege to hunt or take game or~~  
2 ~~wildlife anywhere within this Commonwealth for a period of~~  
3 ~~one year.~~

4 ~~(d) Enforcement. The director shall authorize the police~~  
5 ~~department of each municipal corporation to assist in the~~  
6 ~~enforcement of this section as necessary, in addition to those~~  
7 ~~under section 903 (relating to delegation of enforcement~~  
8 ~~powers).~~

9 ~~§ 2315. Hunting on Sunday without written permission.~~

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

16 ~~(b) Penalty. A person who violates subsection (a) commits a~~  
17 ~~summary offense of the third degree.]~~

18 ~~Section 5. Title 34 is amended by adding sections to read:~~

19 ~~§ 2316. Trespass on private land while hunting or furtaking.~~

20 ~~(a) Offense defined. An individual, while engaged in~~  
21 ~~hunting or furtaking, commits an offense if, knowing that the~~  
22 ~~individual is not licensed or privileged to do so or using dogs~~  
23 ~~for the hunting or furtaking, the individual does any of the~~  
24 ~~following:~~

25 ~~(1) Enters or remains on private land without~~  
26 ~~authorization to do so, if the private land is posted in a~~  
27 ~~manner prescribed by law or reasonably likely to come to the~~  
28 ~~individual's attention.~~

29 ~~(2) Enters or remains on private land without~~  
30 ~~authorization to do so and defies an order not to enter or an~~

~~order to leave that has been personally communicated to the individual by the owner, an agent of the owner or a lessee of the private land or another authorized person.~~

~~(3) Enters or remains on private land without authorization to do so, if the private land is fenced or enclosed in a manner manifestly designed to exclude trespassers.~~

~~(4) Subject to subsection (d)(1), enters or remains on private land without authorization to do so, if notice against trespass is given by the placement of identifying purple paint marks on trees or posts on the private land as prescribed by 18 Pa.C.S. § 3503(b)(1)(vi) (relating to criminal trespass).~~

~~(b) Grading.~~

~~(1) For a first violation:~~

~~(i) An individual who violates subsection (a)(1), (3) or (4) commits a summary offense of the second degree and may be subject to the forfeiture of the privilege to hunt or take game or wildlife anywhere in this Commonwealth for a period of one year.~~

~~(ii) An individual who violates subsection (a)(2) commits a summary offense of the third degree.~~

~~(2) For a second violation:~~

~~(i) An individual who violates subsection (a)(1), (3) or (4) for a second time commits a summary offense of the first degree and may be subject to the forfeiture of the privilege to hunt or take game or wildlife anywhere in this Commonwealth for a period of two years.~~

~~(ii) An individual who violates subsection (a)(2) for a second time commits a summary offense of the second~~

~~degree and may be subject to the forfeiture of the  
privilege to hunt or take game or wildlife anywhere in  
this Commonwealth for a period of one year.~~

~~(3) For a third or subsequent violation:~~

~~(i) An individual who violates subsection (a) (1),  
(3) or (4) for a third or subsequent time commits a  
misdemeanor of the third degree and may be subject to the  
forfeiture of the privilege to hunt or take game or  
wildlife anywhere in this Commonwealth for a period of  
three years.~~

~~(ii) An individual who violates subsection (a) (2)  
for a third or subsequent time commits a summary offense  
of the first degree and may be subject to the forfeiture  
of the privilege to hunt or take game or wildlife  
anywhere in this Commonwealth for a period of two years.~~

~~(c) Enforcement. The director shall authorize the police  
department of each municipal corporation, in addition to any  
person described under section 903 (relating to delegation of  
enforcement powers) to assist in the enforcement of this section  
as necessary.~~

~~(d) Applicability.~~

~~(1) Subsection (a) (4) shall not apply in a county of the  
first class.~~

~~(2) As follows:~~

~~(i) Subject to subparagraph (ii), this section shall  
not apply to an unarmed individual who enters onto posted  
or marked property for the sole purpose of retrieving a  
hunting dog.~~

~~(ii) Subparagraph (i) shall not apply to an  
individual described under subparagraph (i) if the~~

1 ~~property is private land that is fenced or enclosed in a~~  
2 ~~manner manifestly designed to exclude trespassers or if~~  
3 ~~the property is private land posted as an agricultural~~  
4 ~~biosecurity area, as defined in 3 Pa.C.S. § 2303~~  
5 ~~(relating to definitions), unless the individual attempts~~  
6 ~~to make contact with the landowner of the private land,~~  
7 ~~or an agent of the landowner, prior to entering onto the~~  
8 ~~private land.~~

9 ~~(3) The penalties prescribed under this section shall be~~  
10 ~~in addition to any other penalty prescribed by law.~~

11 ~~§ 2317. Hunting, trapping or taking game or wildlife without~~  
12 ~~written permission.~~

13 ~~(a) Offense defined. An individual commits an offense if~~  
14 ~~the individual enters or remains on private land while engaged~~  
15 ~~in the hunting, trapping or taking of game or wildlife, by any~~  
16 ~~means or manner or device, including the use of dogs, and fails~~  
17 ~~to:~~

18 ~~(1) possess written permission of the owner, an agent of~~  
19 ~~the owner or a lessee of the private land or another~~  
20 ~~authorized person to use, occupy or access the property; or~~

21 ~~(2) produce the written permission described under~~  
22 ~~paragraph (1) upon request to the owner, an agent of the~~  
23 ~~owner or a lessee of the private land, another authorized~~  
24 ~~person or an officer or other person whose duty is to assist~~  
25 ~~in the enforcement of this title.~~

26 ~~(b) Grading. An offense under subsection (a) constitutes a~~  
27 ~~summary offense of the third degree.~~

28 ~~Section 6. Sections 2382(c) and 2943(c) of Title 34 are~~  
29 ~~amended to read:~~

30 ~~§ 2382. Training dogs on small game.~~



1       \* \* \*

2       ~~[(c) Sunday limitation. It is unlawful to train dogs on~~  
3 ~~privately owned property on Sunday. This limitation shall not~~  
4 ~~apply to:~~

5             ~~(1) National or State forest land.~~

6             ~~(2) State game lands.~~

7             ~~(3) Privately owned property when the consent of the~~  
8 ~~person in charge of the land is first obtained.]~~

9       ~~§ 2943. Field dog trials.~~

10       \* \* \*

11       ~~(c) Trials for raccoons. It is lawful to hold trials or~~  
12 ~~meets where dogs may work on drags or live raccoons at any hour,~~  
13 ~~if permission is obtained to use privately owned land [when the~~  
14 ~~meet or trial is to be held on Sunday]:~~

15             ~~(1) During the period of the year when dog training is~~  
16 ~~permitted by this title.~~

17             ~~(2) During the period of the year when dog training is~~  
18 ~~prohibited by this title if a raccoon dog field trial permit~~  
19 ~~is obtained.~~

20       \* \* \*

21       ~~Section 7. The following shall not affect any fine or other~~  
22 ~~penalty imposed for a violation under this title that was~~  
23 ~~committed before the effective date of this section:~~

24             ~~(1) The repeal of 34 Pa.C.S. § 2303, 2314 or 2315.~~

25             ~~(2) The addition of 34 Pa.C.S. § 2303.1, 2316 or 2317.~~

26             ~~(3) The amendment of 34 Pa.C.S. § 2382(c) or 2943(c).~~

27       ~~Section 8. The addition of 34 Pa.C.S. §§ 2316 and 2317 shall~~  
28 ~~apply to an offense committed on or after the effective date of~~  
29 ~~this section.~~

30       ~~Section 9. This act shall take effect as follows:~~

1           ~~(1) This section shall take effect immediately.~~

2           ~~(2) The remainder of this act shall take effect in 60~~  
3           ~~days.~~

4           SECTION 1. SECTION 2303 OF TITLE 34 OF THE PENNSYLVANIA  
5 CONSOLIDATED STATUTES IS REPEALED:

<--

6           [§ 2303. HUNTING ON SUNDAY PROHIBITED.]

7           (A) GENERAL RULE.--EXCEPT AS OTHERWISE PROVIDED IN THIS  
8 TITLE, IT IS UNLAWFUL FOR ANY PERSON TO HUNT FOR ANY FURBEARER  
9 OR GAME ON SUNDAY.

10          (B) CONSTRUCTION OF SECTION.--THIS SECTION SHALL NOT BE  
11 CONSTRUED TO PROHIBIT:

12           (1) THE TRAINING OF DOGS.

13           (2) THE PARTICIPATION IN DOG TRIALS AS PROVIDED FOR IN  
14 THIS TITLE.

15           (3) THE REMOVAL OF LAWFULLY TAKEN GAME OR WILDLIFE FROM  
16 TRAPS OR THE RESETTING OF THE TRAPS ON SUNDAY.

17          (B.1) EXCEPTIONS.--SUBSECTION (A) SHALL NOT APPLY TO:

18           (1) THE HUNTING OF FOXES.

19           (2) THE HUNTING OF COYOTES.

20           (3) ANY HUNTING WHICH OCCURS ON NONCOMMERCIAL REGULATED  
21 HUNTING GROUNDS HOLDING A VALID PERMIT UNDER SECTION 2928 (B)

22           (2) (RELATING TO REGULATED HUNTING GROUNDS PERMITS).

23           (4) HUNTING ON THREE SUNDAYS EACH CALENDAR YEAR, AS  
24 FOLLOWS:

25           (I) ONE DAY OF SUNDAY HUNTING SHALL BE INSTITUTED BY  
26 THE COMMISSION DURING THE DEER RIFLE SEASON.

27           (II) ONE DAY OF SUNDAY HUNTING SHALL BE INSTITUTED  
28 BY THE COMMISSION DURING THE STATEWIDE DEER ARCHERY  
29 SEASON.

30           (III) ONE DAY OF SUNDAY HUNTING AS DETERMINED BY THE

1 COMMISSION SHALL BE INSTITUTED BY THE COMMISSION.

2 AUTHORITY TO HUNT ON ANY SUNDAY INSTITUTED BY THE COMMISSION  
3 UNDER THIS PARAGRAPH SHALL NOT APPLY TO ANY PERSON REQUIRED  
4 TO SECURE A HUNTING LICENSE WHO ATTEMPTS TO HUNT ON PRIVATE  
5 LAND WITHOUT OBTAINING WRITTEN PERMISSION OF THE LANDOWNER,  
6 AN AGENT OF THE LANDOWNER OR LESSEE.

7 (C) PENALTY.--A VIOLATION OF THIS SECTION IS A SUMMARY  
8 OFFENSE OF THE FIFTH DEGREE.]

9 SECTION 2. TITLE 34 IS AMENDED BY ADDING SECTIONS TO READ:

10 § 2303.1. TEMPORARY SUNDAY HUNTING AUTHORIZED.

11 THE FOLLOWING APPLY:

12 (1) SUBJECT TO SECTIONS 2316 (RELATING TO TRESPASS ON  
13 PRIVATE LAND WHILE HUNTING OR FURTAKING) AND 2317 (RELATING  
14 TO HUNTING, TRAPPING OR TAKING GAME OR WILDLIFE WITHOUT  
15 WRITTEN PERMISSION), AN INDIVIDUAL MAY LAWFULLY HUNT ON  
16 PRIVATE LAND, STATE FORESTS OR LAND OWNED BY THE PENNSYLVANIA  
17 GAME COMMISSION FOR FURBEARER OR GAME ANY DAY OF THE WEEK,  
18 INCLUDING SUNDAY, IF THE INDIVIDUAL:

19 (I) HAS A VALID HUNTING LICENSE; AND

20 (II) IF THE LAND IS PRIVATE LAND, OBTAINS WRITTEN  
21 PERMISSION TO HUNT ON THE PRIVATE LAND FROM THE OWNER, AN  
22 AGENT OF THE OWNER OR A LESSEE OF THE PRIVATE LAND OR  
23 ANOTHER AUTHORIZED PERSON.

24 (2) THIS SECTION SHALL EXPIRE JUNE 30, 2029.

25 § 2303.2. HUNTING AND TRAINING ON SUNDAY.

26 (A) GENERAL RULE.--BEGINNING ON JULY 1, 2029, IT SHALL BE  
27 UNLAWFUL FOR ANY PERSON TO HUNT FOR ANY FURBEARER OR GAME ON  
28 SUNDAY.

29 (B) CONSTRUCTION OF SECTION.--THIS SECTION SHALL NOT BE  
30 CONSTRUED TO PROHIBIT:

1           (1) EXCEPT AS PROVIDED UNDER SUBSECTION (B.2), THE  
2 TRAINING OF DOGS.

3           (2) THE PARTICIPATION IN DOG TRIALS AS PROVIDED FOR IN  
4 THIS TITLE.

5           (3) THE REMOVAL OF LAWFULLY TAKEN GAME OR WILDLIFE FROM  
6 TRAPS OR THE RESETTING OF THE TRAPS ON SUNDAY.

7 (B.1) EXCEPTIONS.--SUBSECTION (A) SHALL NOT APPLY TO:

8           (1) THE HUNTING OF FOXES.

9           (2) THE HUNTING OF COYOTES.

10           (3) ANY HUNTING WHICH OCCURS ON NONCOMMERCIAL REGULATED  
11 HUNTING GROUNDS HOLDING A VALID PERMIT UNDER SECTION 2928(B)  
12 (2) (RELATING TO REGULATED HUNTING GROUNDS PERMITS).

13           (4) HUNTING ON THREE SUNDAYS EACH CALENDAR YEAR, AS  
14 FOLLOWS:

15           (I) ONE DAY OF SUNDAY HUNTING SHALL BE INSTITUTED BY  
16 THE COMMISSION DURING THE DEER RIFLE SEASON.

17           (II) ONE DAY OF SUNDAY HUNTING SHALL BE INSTITUTED  
18 BY THE COMMISSION DURING THE STATEWIDE DEER ARCHERY  
19 SEASON.

20           (III) ONE DAY OF SUNDAY HUNTING AS DETERMINED BY THE  
21 COMMISSION SHALL BE INSTITUTED BY THE COMMISSION.

22 AUTHORITY TO HUNT ON ANY SUNDAY INSTITUTED BY THE COMMISSION  
23 UNDER THIS PARAGRAPH SHALL NOT APPLY TO ANY PERSON REQUIRED  
24 TO SECURE A HUNTING LICENSE WHO ATTEMPTS TO HUNT ON PRIVATE  
25 LAND WITHOUT OBTAINING WRITTEN PERMISSION OF THE LANDOWNER,  
26 AN AGENT OF THE LANDOWNER OR LESSEE.

27 (B.2) LIMITATION ON TRAINING DOGS ON SMALL GAME.--BEGINNING  
28 ON JULY 1, 2029, IT SHALL BE UNLAWFUL TO TRAIN DOGS ON PRIVATE  
29 LAND ON SUNDAY. THIS LIMITATION SHALL NOT APPLY TO:

30           (1) NATIONAL OR STATE FOREST LAND.

1           (2) STATE GAME LANDS.

2           (3) PRIVATE LAND WHEN THE CONSENT OF THE PERSON IN  
3           CHARGE OF THE PRIVATE LAND IS FIRST OBTAINED.

4           (B.3) LIMITATION ON TRIALS FOR RACCOONS.--BEGINNING ON JULY  
5           1, 2029, IT SHALL BE LAWFUL TO HOLD TRIALS OR MEETS WHERE DOGS  
6           MAY WORK ON DRAGS OR LIVE RACCOONS AT ANY HOUR, IF PERMISSION IS  
7           OBTAINED TO USE PRIVATELY OWNED LAND WHEN THE MEET OR TRIAL IS  
8           TO BE HELD ON SUNDAY.

9           (C) PENALTIES.--A VIOLATION OF SUBSECTIONS (A) AND (B.2) IS  
10          A SUMMARY OFFENSE OF THE FIFTH DEGREE.

11          SECTION 3. SECTIONS 2314 AND 2315 OF TITLE 34 ARE REPEALED:

12          [§ 2314. TRESPASS ON PRIVATE PROPERTY WHILE HUNTING.

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

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

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

25            (B) APPLICABILITY.--THIS SECTION SHALL NOT APPLY TO AN  
26            UNARMED PERSON WHO ENTERS ONTO POSTED PROPERTY FOR THE SOLE  
27            PURPOSE OF RETRIEVING A HUNTING DOG.

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

30                (1) A PERSON WHO VIOLATES SUBSECTION (A) (1) COMMITS A

1 SUMMARY OFFENSE OF THE THIRD DEGREE.

2 (2) A PERSON WHO VIOLATES SUBSECTION (A) (2) COMMITS A  
3 MISDEMEANOR.

4 (3) A PERSON WHO COMMITS A SECOND OR SUBSEQUENT  
5 VIOLATION OF THIS SECTION WITHIN A SEVEN-YEAR PERIOD COMMITS  
6 A MISDEMEANOR, AND THE SECOND OR SUBSEQUENT VIOLATION SHALL  
7 RESULT IN FORFEITURE OF THE PRIVILEGE TO HUNT OR TAKE GAME OR  
8 WILDLIFE ANYWHERE WITHIN THIS COMMONWEALTH FOR A PERIOD OF  
9 ONE YEAR.

10 (D) ENFORCEMENT.--THE DIRECTOR SHALL AUTHORIZE THE POLICE  
11 DEPARTMENT OF EACH MUNICIPAL CORPORATION TO ASSIST IN THE  
12 ENFORCEMENT OF THIS SECTION AS NECESSARY, IN ADDITION TO THOSE  
13 UNDER SECTION 903 (RELATING TO DELEGATION OF ENFORCEMENT  
14 POWERS).

15 § 2315. HUNTING ON SUNDAY WITHOUT WRITTEN PERMISSION.

16 (A) GENERAL RULE.--A PERSON REQUIRED TO SECURE A HUNTING  
17 LICENSE TO HUNT COMMITS AN OFFENSE IF, WHILE ENGAGED IN HUNTING  
18 ON SUNDAY UNDER SECTION 2303(B.1) (4) (RELATING TO HUNTING ON  
19 SUNDAY PROHIBITED), THE PERSON ENTERS PRIVATE LAND WITHOUT  
20 OBTAINING WRITTEN PERMISSION OF THE LANDOWNER, AN AGENT OF THE  
21 LANDOWNER OR LESSEE.

22 (B) PENALTY.--A PERSON WHO VIOLATES SUBSECTION (A) COMMITS A  
23 SUMMARY OFFENSE OF THE THIRD DEGREE.]

24 SECTION 4. TITLE 34 IS AMENDED BY ADDING SECTIONS TO READ:

25 § 2316. TRESPASS ON PRIVATE LAND WHILE HUNTING OR FURTAKING.

26 (A) OFFENSE DEFINED.--AN INDIVIDUAL, WHILE ENGAGED IN  
27 HUNTING OR FURTAKING, COMMITS AN OFFENSE IF, KNOWING THAT THE  
28 INDIVIDUAL IS NOT LICENSED OR PRIVILEGED TO DO SO OR USING DOGS  
29 FOR THE HUNTING OR FURTAKING, THE INDIVIDUAL DOES ANY OF THE  
30 FOLLOWING:

1           (1) ENTERS OR REMAINS ON PRIVATE LAND WITHOUT  
2 AUTHORIZATION TO DO SO, IF THE PRIVATE LAND IS POSTED IN A  
3 MANNER PRESCRIBED BY LAW OR REASONABLY LIKELY TO COME TO THE  
4 INDIVIDUAL'S ATTENTION.

5           (2) ENTERS OR REMAINS ON PRIVATE LAND WITHOUT  
6 AUTHORIZATION TO DO SO AND DEFIES AN ORDER NOT TO ENTER OR AN  
7 ORDER TO LEAVE THAT HAS BEEN PERSONALLY COMMUNICATED TO THE  
8 INDIVIDUAL BY THE OWNER, AN AGENT OF THE OWNER OR A LESSEE OF  
9 THE PRIVATE LAND OR ANOTHER AUTHORIZED PERSON.

10           (3) ENTERS OR REMAINS ON PRIVATE LAND WITHOUT  
11 AUTHORIZATION TO DO SO, IF THE PRIVATE LAND IS FENCED OR  
12 ENCLOSED IN A MANNER MANIFESTLY DESIGNED TO EXCLUDE  
13 TRESPASSERS.

14           (4) SUBJECT TO SUBSECTION (D) (1), ENTERS OR REMAINS ON  
15 PRIVATE LAND WITHOUT AUTHORIZATION TO DO SO, IF NOTICE  
16 AGAINST TRESPASS IS GIVEN BY THE PLACEMENT OF IDENTIFYING  
17 PURPLE PAINT MARKS ON TREES OR POSTS ON THE PRIVATE LAND AS  
18 PRESCRIBED BY 18 PA.C.S. § 3503(B) (1) (VI) (RELATING TO  
19 CRIMINAL TRESPASS).

20 (B) GRADING.--

21           (1) FOR A FIRST VIOLATION:

22           (I) AN INDIVIDUAL WHO VIOLATES SUBSECTION (A) (1),  
23 (3) OR (4) COMMITS A SUMMARY OFFENSE OF THE SECOND DEGREE  
24 AND MAY BE SUBJECT TO THE FORFEITURE OF THE PRIVILEGE TO  
25 HUNT OR TAKE GAME OR WILDLIFE ANYWHERE IN THIS  
26 COMMONWEALTH FOR A PERIOD OF ONE YEAR.

27           (II) AN INDIVIDUAL WHO VIOLATES SUBSECTION (A) (2)  
28 COMMITS A SUMMARY OFFENSE OF THE SECOND DEGREE AND MAY BE  
29 SUBJECT TO THE FORFEITURE OF THE PRIVILEGE TO HUNT OR  
30 TAKE GAME OR WILDLIFE ANYWHERE IN THIS COMMONWEALTH FOR A

1 PERIOD OF TWO YEARS.

2 (2) FOR A SECOND VIOLATION:

3 (I) AN INDIVIDUAL WHO VIOLATES SUBSECTION (A) (1),  
4 (3) OR (4) FOR A SECOND TIME COMMITS A SUMMARY OFFENSE OF  
5 THE FIRST DEGREE AND MAY BE SUBJECT TO THE FORFEITURE OF  
6 THE PRIVILEGE TO HUNT OR TAKE GAME OR WILDLIFE ANYWHERE  
7 IN THIS COMMONWEALTH FOR A PERIOD OF TWO YEARS.

8 (II) AN INDIVIDUAL WHO VIOLATES SUBSECTION (A) (2)  
9 FOR A SECOND TIME COMMITS A SUMMARY OFFENSE OF THE FIRST  
10 DEGREE AND MAY BE SUBJECT TO THE FORFEITURE OF THE  
11 PRIVILEGE TO HUNT OR TAKE GAME OR WILDLIFE ANYWHERE IN  
12 THIS COMMONWEALTH FOR A PERIOD OF THREE YEARS.

13 (3) FOR A THIRD OR SUBSEQUENT VIOLATION:

14 (I) AN INDIVIDUAL WHO VIOLATES SUBSECTION (A) (1),  
15 (3) OR (4) FOR A THIRD OR SUBSEQUENT TIME COMMITS A  
16 MISDEMEANOR AND MAY BE SUBJECT TO THE FORFEITURE OF THE  
17 PRIVILEGE TO HUNT OR TAKE GAME OR WILDLIFE ANYWHERE IN  
18 THIS COMMONWEALTH FOR A PERIOD OF THREE YEARS.

19 (II) AN INDIVIDUAL WHO VIOLATES SUBSECTION (A) (2)  
20 FOR A THIRD OR SUBSEQUENT TIME COMMITS A MISDEMEANOR OF  
21 THE SECOND DEGREE AND MAY BE SUBJECT TO THE FORFEITURE OF  
22 THE PRIVILEGE TO HUNT OR TAKE GAME OR WILDLIFE ANYWHERE  
23 IN THIS COMMONWEALTH FOR A PERIOD OF FOUR YEARS.

24 (C) ENFORCEMENT.--THE DIRECTOR SHALL AUTHORIZE THE POLICE  
25 DEPARTMENT OF EACH MUNICIPAL CORPORATION, IN ADDITION TO ANY  
26 PERSON DESCRIBED UNDER SECTION 903 (RELATING TO DELEGATION OF  
27 ENFORCEMENT POWERS) TO ASSIST IN THE ENFORCEMENT OF THIS SECTION  
28 AS NECESSARY.

29 (D) APPLICABILITY.--

30 (1) SUBSECTION (A) (4) SHALL NOT APPLY IN A COUNTY OF THE



1 FIRST CLASS.

2 (2) AS FOLLOWS:

3 (I) SUBJECT TO SUBPARAGRAPH (II), THIS SECTION SHALL  
4 NOT APPLY TO AN UNARMED INDIVIDUAL WHO ENTERS ONTO POSTED  
5 OR MARKED PROPERTY FOR THE SOLE PURPOSE OF RETRIEVING A  
6 HUNTING DOG.

7 (II) SUBPARAGRAPH (I) SHALL NOT APPLY TO AN  
8 INDIVIDUAL DESCRIBED UNDER SUBPARAGRAPH (I) IF THE  
9 PROPERTY IS PRIVATE LAND THAT IS FENCED OR ENCLOSED IN A  
10 MANNER MANIFESTLY DESIGNED TO EXCLUDE TRESPASSERS OR IF  
11 THE PROPERTY IS PRIVATE LAND POSTED AS AN AGRICULTURAL  
12 BIOSECURITY AREA, AS DEFINED IN 3 PA.C.S. § 2303  
13 (RELATING TO DEFINITIONS), UNLESS THE INDIVIDUAL ATTEMPTS  
14 TO MAKE CONTACT WITH THE LANDOWNER OF THE PRIVATE LAND,  
15 OR AN AGENT OF THE LANDOWNER, PRIOR TO ENTERING ONTO THE  
16 PRIVATE LAND.

17 (3) THE PENALTIES PRESCRIBED UNDER THIS SECTION SHALL BE  
18 IN ADDITION TO ANY OTHER PENALTY PRESCRIBED BY LAW.

19 § 2317. HUNTING, TRAPPING OR TAKING GAME OR WILDLIFE WITHOUT  
20 WRITTEN PERMISSION.

21 (A) OFFENSE DEFINED.--AN INDIVIDUAL COMMITS AN OFFENSE IF  
22 THE INDIVIDUAL ENTERS OR REMAINS ON PRIVATE LAND WHILE ENGAGED  
23 IN THE HUNTING, TRAPPING OR TAKING OF GAME OR WILDLIFE, BY ANY  
24 MEANS OR MANNER OR DEVICE, INCLUDING THE USE OF DOGS, AND FAILS  
25 TO:

26 (1) POSSESS WRITTEN PERMISSION OF THE OWNER, AN AGENT OF  
27 THE OWNER OR A LESSEE OF THE PRIVATE LAND OR ANOTHER  
28 AUTHORIZED PERSON TO USE, OCCUPY OR ACCESS THE PROPERTY; OR

29 (2) PRODUCE THE WRITTEN PERMISSION DESCRIBED UNDER  
30 PARAGRAPH (1) UPON REQUEST TO THE OWNER, AN AGENT OF THE

1 OWNER OR A LESSEE OF THE PRIVATE LAND, ANOTHER AUTHORIZED  
2 PERSON OR AN OFFICER OR OTHER PERSON WHOSE DUTY IS TO ASSIST  
3 IN THE ENFORCEMENT OF THIS TITLE.

4 (B) GRADING.--AN OFFENSE UNDER SUBSECTION (A) CONSTITUTES A  
5 SUMMARY OFFENSE OF THE THIRD DEGREE.

6 SECTION 5. SECTIONS 2382(C) AND 2943(C) OF TITLE 34 ARE  
7 AMENDED TO READ:

8 § 2382. TRAINING DOGS ON SMALL GAME.

9 \* \* \*

10 [(C) SUNDAY LIMITATION.--IT IS UNLAWFUL TO TRAIN DOGS ON  
11 PRIVATELY OWNED PROPERTY ON SUNDAY. THIS LIMITATION SHALL NOT  
12 APPLY TO:

13 (1) NATIONAL OR STATE FOREST LAND.

14 (2) STATE GAME LANDS.

15 (3) PRIVATELY OWNED PROPERTY WHEN THE CONSENT OF THE  
16 PERSON IN CHARGE OF THE LAND IS FIRST OBTAINED.]

17 § 2943. FIELD DOG TRIALS.

18 \* \* \*

19 (C) TRIALS FOR RACCOONS.--IT IS LAWFUL TO HOLD TRIALS OR  
20 MEETS WHERE DOGS MAY WORK ON DRAGS OR LIVE RACCOONS AT ANY HOUR,  
21 IF PERMISSION IS OBTAINED TO USE PRIVATELY OWNED LAND [WHEN THE  
22 MEET OR TRIAL IS TO BE HELD ON SUNDAY]:

23 (1) DURING THE PERIOD OF THE YEAR WHEN DOG TRAINING IS  
24 PERMITTED BY THIS TITLE.

25 (2) DURING THE PERIOD OF THE YEAR WHEN DOG TRAINING IS  
26 PROHIBITED BY THIS TITLE IF A RACCOON DOG FIELD TRIAL PERMIT  
27 IS OBTAINED.

28 \* \* \*

29 SECTION 6. THE FOLLOWING SHALL NOT AFFECT ANY FINE OR OTHER  
30 PENALTY IMPOSED FOR A VIOLATION UNDER THIS TITLE THAT WAS

1 COMMITTED BEFORE THE EFFECTIVE DATE OF THIS SECTION:

2 (1) THE REPEAL OF 34 PA.C.S. § 2303, 2314 OR 2315.

3 (2) THE ADDITION OF 34 PA.C.S. § 2303.1, 2316 OR 2317.

4 (3) THE AMENDMENT OF 34 PA.C.S. § 2382(C) OR 2943(C).

5 SECTION 7. THE ADDITION OF 34 PA.C.S. §§ 2316 AND 2317 SHALL  
6 APPLY TO AN OFFENSE COMMITTED ON OR AFTER THE EFFECTIVE DATE OF  
7 THIS SECTION.

8 SECTION 8. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.