

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 RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 27, 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 temporary Sunday hunting authorized and for hunting and
5 training on Sunday, repealing provisions relating to trespass
6 on private property while hunting and to hunting on Sunday
7 without written permission, providing for the offense of
8 trespass on private land while hunting or furtaking and for
9 the offense of hunting, trapping or taking game or wildlife
10 without written permission and further providing for training
11 dogs on small game; in special licenses and permits, further
12 providing for field dog trials; and imposing penalties.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 2303 of Title 34 of the Pennsylvania
16 Consolidated Statutes is repealed:

17 [§ 2303. Hunting on Sunday prohibited.

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

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

- 1 (1) The training of dogs.
- 2 (2) The participation in dog trials as provided for in  
3 this title.
- 4 (3) The removal of lawfully taken game or wildlife from  
5 traps or the resetting of the traps on Sunday.

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

- 7 (1) The hunting of foxes.
- 8 (2) The hunting of coyotes.
- 9 (3) Any hunting which occurs on noncommercial regulated  
10 hunting grounds holding a valid permit under section 2928(b)  
11 (2) (relating to regulated hunting grounds permits).
- 12 (4) Hunting on three Sundays each calendar year, as  
13 follows:

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

16 (ii) One day of Sunday hunting shall be instituted  
17 by the commission during the Statewide deer archery  
18 season.

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

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

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

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

29 § 2303.1. Temporary Sunday hunting authorized.

30 The following apply:

1           (1) Subject to sections 2316 (relating to trespass on  
2 private land while hunting or furtaking) and 2317 (relating  
3 to hunting, trapping or taking game or wildlife without  
4 written permission), an individual may, SUBJECT TO COMMISSION <--  
5 REGULATIONS, lawfully hunt on private land, State forests or <--  
6 land owned by the Pennsylvania Game Commission for furbearer  
7 or game any day of the week, including Sunday, if the <--  
8 individual: SUNDAY. SUNDAY HUNTING SHALL NOT BE PERMITTED ON <--  
9 LANDS DESIGNATED AS A STATE PARK. AN INDIVIDUAL MAY  
10 PARTICIPATE IN SUNDAY HUNTING IF THE INDIVIDUAL:

11           (i) has a valid hunting license; and

12           (ii) if the land is private land, obtains written  
13 permission to hunt on the private land from the owner, an  
14 agent of the owner or a lessee of the private land or  
15 another authorized person.

16           (2) This section shall expire June 30, 2029.

17 § 2303.2. Hunting and training on Sunday.

18           (a) General rule.--Beginning on July 1, 2029, it shall be  
19 unlawful for any person to hunt for any furbearer or game on  
20 Sunday.

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

23           (1) Except as provided under subsection (b.2), the  
24 training of dogs.

25           (2) The participation in dog trials as provided for in  
26 this title.

27           (3) The removal of lawfully taken game or wildlife from  
28 traps or the resetting of the traps on Sunday.

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

30           (1) The hunting of foxes.

1           (2) The hunting of coyotes.

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

5           (4) Hunting on three Sundays each calendar year, as  
6 follows:

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

9                 (ii) One day of Sunday hunting shall be instituted  
10 by the commission during the Statewide deer archery  
11 season.

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

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

19 (b.2) Limitation on training dogs on small game.--Beginning  
20 on July 1, 2029, it shall be unlawful to train dogs on private  
21 land on Sunday. This limitation shall not apply to:

22                 (1) National or State forest land.

23                 (2) State game lands.

24                 (3) Private land when the consent of the person in  
25 charge of the private land is first obtained.

26 (b.3) Limitation on trials for raccoons.--Beginning on July  
27 1, 2029, it shall be lawful to hold trials or meets where dogs  
28 may work on drags or live raccoons at any hour, if permission is  
29 obtained to use privately owned land when the meet or trial is  
30 to be held on Sunday.

1 (c) Penalties.--A violation of subsections (a) and (b.2) is  
2 a summary offense of the fifth degree.

3 Section 3. Sections 2314 and 2315 of Title 34 are repealed:

4 [§ 2314. Trespass on private property while hunting.

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) Applicability.--This section shall not apply to an  
18 unarmed person who enters onto posted property for the sole  
19 purpose of retrieving a hunting dog.

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

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

24 (2) A person who violates subsection (a)(2) commits a  
25 misdemeanor.

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.

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

7 § 2315. Hunting on Sunday without written permission.

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

14 (b) Penalty.--A person who violates subsection (a) commits a  
15 summary offense of the third degree.]

16 Section 4. Title 34 is amended by adding sections to read:

17 § 2316. Trespass on private land while hunting or furtaking.

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

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

27 (2) Enters or remains on private land without  
28 authorization to do so and defies an order not to enter or an  
29 order to leave that has been personally communicated to the  
30 individual by the owner, an agent of the owner or a lessee of

1 the private land or another authorized person.

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

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

12 (b) Grading.--

13 (1) For a first violation:

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

19 (ii) An individual who violates subsection (a)(2)  
20 commits a summary offense of the second degree and may be  
21 subject to the forfeiture of the privilege to hunt or  
22 take game or wildlife anywhere in this Commonwealth for a  
23 period of two years.

24 (2) For a second violation:

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

30 (ii) An individual who violates subsection (a)(2)

1 for a second time commits a summary offense of the first  
2 degree and may be subject to the forfeiture of the  
3 privilege to hunt or take game or wildlife anywhere in  
4 this Commonwealth for a period of three years.

5 (3) For a third or subsequent violation:

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

11 (ii) An individual who violates subsection (a)(2)  
12 for a third or subsequent time commits a misdemeanor of  
13 the second degree and may be subject to the forfeiture of  
14 the privilege to hunt or take game or wildlife anywhere  
15 in this Commonwealth for a period of four years.

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

21 (d) Applicability.--

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

24 (2) As follows:

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

29 (ii) Subparagraph (i) shall not apply to an  
30 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 5. 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 6. 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 7. 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 8. This act shall take effect in 60 days.