

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 AND D. WILLIAMS, MARCH 14, 2024

AS REPORTED FROM COMMITTEE ON GAME AND FISHERIES, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 22, 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 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Section 2102(b)(2) of Title 34 of the
17 Pennsylvania Consolidated Statutes is amended to read:

18 § 2102. Regulations.

19 \* \* \*

20 (b) Seasons, possession, bag limits and devices.--

21 \* \* \*

22 (2) If in any year the commission fails to establish
23 seasons or bag limits or fails to establish other hunting or

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

12 \* \* \*

13 Section 2. Section 2303 of Title 34 is repealed:

14 [§ 2303. Hunting on Sunday prohibited.]

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

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

20 (1) The training of dogs.

21 (2) The participation in dog trials as provided for in  
22 this title.

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

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

26 (1) The hunting of foxes.

27 (2) The hunting of coyotes.

28 (3) Any hunting which occurs on noncommercial regulated  
29 hunting grounds holding a valid permit under section 2928(b)

30 (2) (relating to regulated hunting grounds permits).

1 (4) Hunting on three Sundays each calendar year, as  
2 follows:

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

5 (ii) One day of Sunday hunting shall be instituted  
6 by the commission during the Statewide deer archery  
7 season.

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

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

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

17 Section 3. Title 34 is amended by adding a section to read:  
18 § 2303.1. Hunting on Sunday.

19 (a) General rule.--Except as provided in subsection (b), an  
20 individual who has secured a hunting license may lawfully hunt  
21 for any furbearer or game on any day of the week, including  
22 Sunday, in accordance with other State law that is not  
23 inconsistent with this section.

24 (b) Exception.--Subsection (a) shall not apply to an  
25 individual who attempts to hunt on private land without  
26 obtaining written permission of the owner, an agent of the owner  
27 or a lessee of the private land or another authorized person.

28 Section 4. Sections 2314 and 2315 of Title 34 are repealed:  
29 [§ 2314. Trespass on private property while hunting.

30 (a) General rule.--A person, while engaged in hunting or

1 furtaking, commits an offense if, knowing that the person is not  
2 licensed or privileged to do so, the person:

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

8 (2) enters or remains on any land of another without  
9 authorization and defies an order not to enter or to leave  
10 that has been personally communicated to the person by the  
11 owner of the land or other authorized person.

12 (b) Applicability.--This section shall not apply to an  
13 unarmed person who enters onto posted property for the sole  
14 purpose of retrieving a hunting dog.

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

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

19 (2) A person who violates subsection (a) (2) commits a  
20 misdemeanor.

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

27 (d) Enforcement.--The director shall authorize the police  
28 department of each municipal corporation to assist in the  
29 enforcement of this section as necessary, in addition to those  
30 under section 903 (relating to delegation of enforcement

1 powers).

2 § 2315. Hunting on Sunday without written permission.

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

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

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

12 § 2316. Trespass on private land while hunting or furtaking.

13 (a) Offense defined.--An individual, while engaged in  
14 hunting or furtaking, commits an offense if, knowing that the  
15 individual is not licensed or privileged to do so or using dogs  
16 for the hunting or furtaking, the individual does any of the  
17 following:

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

22 (2) Enters or remains on private land without  
23 authorization to do so and defies an order not to enter or an  
24 order to leave that has been personally communicated to the  
25 individual by the owner, an agent of the owner or a lessee of  
26 the private land or another authorized person.

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

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

7 (b) Grading.--

8       (1) For a first violation:

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

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

16       (2) For a second violation:

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

22           (ii) An individual who violates subsection (a)(2)  
23 for a second time commits a summary offense of the second  
24 degree and may be subject to the forfeiture of the  
25 privilege to hunt or take game or wildlife anywhere in  
26 this Commonwealth for a period of one year.

27       (3) For a third or subsequent violation:

28           (i) An individual who violates subsection (a)(1),  
29 (3) or (4) for a third or subsequent time commits a  
30 misdemeanor of the third degree and may be subject to the

1 forfeiture of the privilege to hunt or take game or  
2 wildlife anywhere in this Commonwealth for a period of  
3 three years.

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

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

14 (d) Applicability.--

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

17 (2) AS FOLLOWS:

<--

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

22 (II) SUBPARAGRAPH (I) SHALL NOT APPLY TO AN  
23 INDIVIDUAL DESCRIBED UNDER SUBPARAGRAPH (I) IF THE  
24 PROPERTY IS PRIVATE LAND THAT IS FENCED OR ENCLOSED IN A  
25 MANNER MANIFESTLY DESIGNED TO EXCLUDE TRESPASSERS OR IF  
26 THE PROPERTY IS PRIVATE LAND POSTED AS AN AGRICULTURAL  
27 BIOSECURITY AREA, AS DEFINED IN 3 PA.C.S. § 2303  
28 (RELATING TO DEFINITIONS), UNLESS THE INDIVIDUAL ATTEMPTS  
29 TO MAKE CONTACT WITH THE LANDOWNER OF THE PRIVATE LAND,  
30 OR AN AGENT OF THE LANDOWNER, PRIOR TO ENTERING ONTO THE

1           PRIVATE LAND.

2           ~~(2)~~ (3) The penalties prescribed under this section <--  
3           shall be in addition to any other penalty prescribed by law.  
4           § 2317. Hunting, trapping or taking game or wildlife without  
5           written permission.

6           (a) Offense defined.--An individual commits an offense if  
7           the individual enters or remains on private land while engaged  
8           in the hunting, trapping or taking of game or wildlife, by any  
9           means or manner or device, including the use of dogs, and fails  
10          to:

11           (1) possess written permission of the owner, an agent of  
12           the owner or a lessee of the private land or another  
13           authorized person to use, occupy or access the property; or

14           (2) produce the written permission described under  
15           paragraph (1) upon request to the owner, an agent of the  
16           owner or a lessee of the private land, another authorized  
17           person or an officer or other person whose duty is to assist  
18           in the enforcement of this title.

19           (b) Grading.--An offense under subsection (a) constitutes a  
20           summary offense of the third degree.

21          Section 6. Sections 2382(c) and 2943(c) of Title 34 are  
22          amended to read:

23          § 2382. Training dogs on small game.

24           \* \* \*

25           [(c) Sunday limitation.--It is unlawful to train dogs on  
26           privately owned property on Sunday. This limitation shall not  
27           apply to:

28           (1) National or State forest land.

29           (2) State game lands.

30           (3) Privately owned property when the consent of the



1 person in charge of the land is first obtained.]

2 § 2943. Field dog trials.

3 \* \* \*

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

8 (1) During the period of the year when dog training is  
9 permitted by this title.

10 (2) During the period of the year when dog training is  
11 prohibited by this title if a raccoon dog field trial permit  
12 is obtained.

13 \* \* \*

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

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

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

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

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

23 Section 9. This act shall take effect as follows:

24 (1) This section shall take effect immediately.

25 (2) The remainder of this act shall take effect in 60  
26 days.