PRINTER'S NO. 881

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 851 Session of 2025

INTRODUCED BY STEELE, PROBST, GIRAL, HADDOCK, PIELLI, KHAN, HILL-EVANS, WEBSTER AND GREEN, MARCH 10, 2025

REFERRED TO COMMITTEE ON GAME AND FISHERIES, MARCH 10, 2025

AN ACT

Amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in Pennsylvania Game Commission, further providing for organization of commission, providing for prohibition and further providing for accountability; in hunting and furtaking, repealing provisions relating to hunting on Sunday prohibited, providing for temporary Sunday hunting authorized and for hunting and training on Sunday, repealing provisions relating to trespass on private property while hunting and to hunting on Sunday without written permission, providing for the offense of trespass on private land while hunting or furtaking and for the offense of hunting, trapping or taking game or wildlife without written permission and further providing for training dogs on small game; in special licenses and permits, further providing for field dog trials; imposing penalties; and making an editorial change.

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

Section 1. Section 102 of Title 34 of the Pennsylvania Consolidated Statutes is amended by adding definitions to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when

used in this title shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

"Lobbying." As defined in 65 Pa.C.S. § 13A03 (relating to definitions).

"Lobbying firm." As defined in 65 Pa.C.S. § 13A03.

"Lobbyist." As defined in 65 Pa.C.S. § 13A03.

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Section 2. Section 301(a) of Title 34 is amended and the section is amended by adding a subsection to read:

§ 301. Organization of commission.

(a) Composition.--[The] Subject to subsection (b.1), the independent administrative commission known as the Pennsylvania Game Commission shall consist of nine competent citizens of this Commonwealth who shall be well informed on the subject of wildlife conservation and restoration and who shall be appointed by the Governor, by and with the advice and consent of a majority of the elected members of the Senate.

* * *

(b.1) Additional consideration.--The Governor shall ensure that at least one member of the commission is:

(1) knowledgeable in the area of wildlife management; and

(2) actively engaged in a normal agricultural operation, as defined in section 2 of the act of June 10, 1982 (P.L.454, No.133), referred to as the Right-to-Farm Law.

* * *

Section 3. Title 34 is amended by adding a section to read:

§ 305. Prohibition.

The commission may not hire or be represented by a lobbyist,

lobbying firm or political consultant to engage in lobbying or otherwise influence the decision-making process of another Commonwealth entity or agency, including the General Assembly or a member of the General Assembly. A violation of this subsection shall be deemed to be a violation of 65 Pa.C.S. § 13A07 (relating to prohibited activities).

Section 4. Section 328 heading and (a) of Title 34 is amended and the section is amended by adding a subsection to read:

§ 328. Accountability and ethics.

(a) Relationship with public.--The commission shall implement policies and programs to improve its relationship with the general public and with its licensees in accordance with its strategic plan. The policies and programs under this subsection shall incorporate the ethics policy under subsection (g).

* * *

(g) Ethics policy.--The commission shall adopt and periodically review an ethics policy applicable to members of the commission, the director and employees of the commission, which shall include material about the ethical obligations under State law and to emphasize the importance for members of the commission, the director and employees of the commission, to maintain respect for sportsmen in this Commonwealth.

Section 5. Section 522(b)(2) of Title 34 is amended to read:

§ 522. Appropriation and audit of moneys.

* * *

(b) Audit and report.--

* * *

(2) No later than January 31 of each year the commission through its executive director shall submit an annual written

report to the Game and Fisheries Committee and the Appropriations Committee of the Senate and the Game and Fisheries Committee and the Appropriations Committee of the House of Representatives which shall include the complete budget for the current fiscal year and for the next fiscal year. The commission shall meet with the specified committees of the General Assembly to receive oral testimony in relation to the annual written reports and to examine the commission's compliance with section 328 (relating to accountability and ethics) when so requested.

* * *

Section 6. Section 2303 of Title 34 is repealed:

[§ 2303. Hunting on Sunday prohibited.

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

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

(1) The training of dogs.

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

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

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

(1) The hunting of foxes.

(2) The hunting of coyotes.

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

(4) Hunting on three Sundays each calendar year, as

follows:

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

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

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

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

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

Section 7. Title 34 is amended by adding sections to read:

§ 2303.1. Temporary Sunday hunting authorized.

(a) Authorization.--

(1) Subject to sections 2316 (relating to trespass on private land while hunting or furtaking) and 2317 (relating to hunting, trapping or taking game or wildlife without written permission), an individual may, subject to commission regulations, lawfully hunt for furbearer or game any day of the week, including Sunday.

(2) Sunday hunting shall not be permitted on lands designated as a State park.

(3) An individual may participate in Sunday hunting if the individual:

(i) has a valid hunting license; and

(ii) if the land is private land, obtains written

permission to hunt on the private land from the owner, an agent of the owner or a lessee of the private land or another authorized person.

(b) Expiration.--This section shall expire June 30, 2029.

§ 2303.2. Hunting and training on Sunday.

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

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

(1) Except as provided under subsection (d), the training of dogs.

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

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

(c) Exceptions.--Subsection (a) shall not apply to:

(1) The hunting of foxes.

(2) The hunting of coyotes.

(3) Hunting that occurs on noncommercial regulated hunting grounds on which a valid permit has been issued under section 2928(b)(2) (relating to regulated hunting grounds permits).

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

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

(B) One day of Sunday hunting shall be instituted by the commission during the Statewide

deer archery season.

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

(ii) Subparagraph (i) shall not apply to a person required to secure a hunting license who attempts to hunt on private land without obtaining written permission of the landowner, an agent of the landowner or lessee.

(d) Limitation on training dogs on small game.--

(1) Beginning on July 1, 2029, it shall be unlawful to train dogs on private land on Sunday.

(2) Paragraph (1) shall not apply to:

(i) National or State forest land.

(ii) State game lands.

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

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

(f) Penalties.--A violation of subsections (a) and (d) is a summary offense of the fifth degree.

Section 8. Sections 2314 and 2315 of Title 34 are repealed:

[§ 2314. Trespass on private property while hunting.

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

(1) enters or remains on any land of another without authorization to do so, when the land is posted in a manner prescribed by law or reasonably likely to come to the

person's attention or is fenced or enclosed in a manner manifestly designed to exclude trespassers; or

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

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

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

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

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

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

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

§ 2315. Hunting on Sunday without written permission.

(a) General rule.--A person required to secure a hunting license to hunt commits an offense if, while engaged in hunting on Sunday under section 2303(b.1)(4) (relating to hunting on

Sunday prohibited), the person enters private land without obtaining written permission of the landowner, an agent of the landowner or lessee.

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

Section 9. Title 34 is amended by adding sections to read:

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

(a) Offense defined.--An individual, while engaged in hunting or furtaking, commits an offense if, knowing that the individual is not licensed or privileged to do so or using dogs for the hunting or furtaking, the individual enters or remains, without authorization to do so, on private land:

(1) posted in a manner prescribed by law or reasonably likely to come to the individual's attention;

(2) in defiance 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) that is fenced or enclosed in a manner manifestly designed to exclude trespassers; or

(4) where 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 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 two years.

(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 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 three years.

(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 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 misdemeanor 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 four 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) Penalties cumulative.--The penalties prescribed under this section shall be in addition to any other penalty prescribed by law.

(e) Applicability.--Subsection (a)(4) shall not apply in a county of the first class.

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

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

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

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

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

Section 10. Sections 2382(c) and 2943(c) of Title 34 are amended to read:

§ 2382. Training dogs on small game.

* * *

[(c) Sunday limitation.--It is unlawful to train dogs on

privately owned property on Sunday. This limitation shall not apply to:

(1) National or State forest land.

(2) State game lands.

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

§ 2943. Field dog trials.

* * *

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

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

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

* * *

Section 11. The following shall not affect any fine or other penalty imposed for a violation under this title that was committed before the effective date of this section:

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

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

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

Section 12. The addition of 34 Pa.C.S. §§ 2316 and 2317 shall apply to an offense committed on or after the effective date of this section.

Section 13. This act shall take effect in 60 days.