



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 147

PRINTERS NO. 1329

PRIME SPONSOR: Laughlin

COST / (SAVINGS)

FUND	FY 2019/20	FY 2020/21
Game Fund	See fiscal impact	See fiscal impact

SUMMARY: Amends the Game and Wildlife Code to allow for limited expansion of Sunday Hunting, increased penalties for trespass while hunting on private property, and provides for requirement of written permission of the landowner in order to hunt on the additional Sundays.

ANALYSIS: SB 147 amends the Game and Wildlife Code (Title 34) to provide for three additional days of hunting on Sundays, to be instituted by the PA Game Commission (PGC) by regulation under their regulatory authority to determine seasons and bag limits as follows:

- One Sunday must be included in the rifle deer season.
- One Sunday must be included in the statewide archery deer season.
- The inclusion of one additional Sunday will be determined by the PGC.

The bill also makes the offense of Trespass on Private Property While Hunting a primary offense, allowing Game Wardens to enforce this offense without another Game Code violation having to be in play, and increases the penalty for a violation of Trespass While Hunting to be as follows:

- A person, while hunting or furtaking, knowing that he or she is not licensed or privileged to do so, enters or remains on any land of another without authorization, 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 designed to exclude trespassers commits a summary offense of the third degree. The penalty is a fine of not less than \$250 nor more than \$500.
- A person 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 commits a misdemeanor. The penalty is a fine of not more than \$3,000 and the person may be sentenced to imprisonment up to six months.
- A person who commits a second or subsequent violation of this section within a seven-year period also commits a misdemeanor, and the second or subsequent violation will result in forfeiture of the privilege to hunt or take game or wildlife in the Commonwealth for a period of one year.

SB 147 adds an exception for an unarmed person who enters onto posted property for the sole purpose of retrieving a hunting dog and gives the director of the Game Commission the authority

to authorize the police department of each municipality to assist in the enforcement of trespassing on private property while hunting.

The bill also provides that written permission of the landowner is required to hunt on private property on any of the Sundays being added to the expanded Sunday hunting provisions. The penalty for a violation of this provision will be a summary offense of the third degree.

Additionally, the legislation requires the Legislative Budget and Finance Committee (LBFC) to perform a financial analysis of the PGC's fees, fines, penalties, royalties, Federal and State appropriations and other sources of revenue received by the commission and of expenditures, including annual operating costs, investments, land purchases and capital projects within 180 days of the effective date. The LBFC must submit this to the President Pro Tempore of the Senate, Speaker of the House of Representatives and chairs of the Game and Fisheries Committees of the House and Senate. The financial analysis shall be public information.

Effective date: 90 days.

FISCAL IMPACT: Eliminating the prohibition on Sunday hunting for three Sundays a year would likely increase revenue for the Game Fund due to an increase in license sales and would create some additional operational costs for the PGC. Whether or not the increased costs would be offset by the increase of license revenue cannot be determined at this time. Also, it is assumed LBFC will be able to perform the required analysis within current resources.

PREPARED BY: Thomas Gwinn
House Appropriations Committee (R)

DATE: October 29, 2019

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.