

## No. 2000-125

## AN ACT

## HB 1393

Amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful taking or possession of threatened or endangered species; and limiting the prohibition on the use of turkey blinds.

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

Section 1. Section 2307(e) of Title 34 of the Pennsylvania Consolidated Statutes is amended to read:

§ 2307. Unlawful taking or possession of game or wildlife.

\* \* \*

(e) Penalties.—A violation of this section relating to:

(1) Threatened or endangered species is a misdemeanor of the **[third] second** degree.

(2) Elk or bear is a summary offense of the first degree.

(3) Deer is a summary offense of the second degree.

(4) Bobcat or otter is a summary offense of the third degree.

(5) Wild turkey or beaver is a summary offense of the fourth degree.

(6) Any other game or wildlife is a summary offense of the fifth degree.

\* \* \*

Section 2. Section 2308(a)(9) of Title 34 is amended and subsection (b) is amended by adding a paragraph to read:

§ 2308. Unlawful devices and methods.

(a) General rule.—Except as otherwise provided in this title, it is unlawful for any person to hunt or aid, abet, assist or conspire to hunt any game or wildlife through the use of:

\* \* \*

(9) Any setgun, net, bird lime, deer lick, pit or pit fall, turkey blind *except as permitted under subsection (b)(3)* or turkey pen or any explosive, poison or chemical of any kind.

\* \* \*

(b) Exceptions.—The provisions of subsection (a) shall not apply to:

\* \* \*

(3) *Any artificial or manufactured turkey blind consisting of all manmade materials of sufficient density to block the detection of movement within the blind from an observer located outside of the blind.*

\* \* \*

Section 3. This act shall take effect immediately.

APPROVED—The 20th day of December, A.D. 2000.

THOMAS J. RIDGE