

No. 2004-43

AN ACT

HB 565

Amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the safety zone for hunters using bows and arrows or crossbows.

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

Section 1. Section 2505 of Title 34 of the Pennsylvania Consolidated Statutes is amended to read:

§ 2505. Safety zones.

(a) General rule.—Except as otherwise provided in this title or to any political subdivision, its employees or agents, which has a valid deer control permit issued under section 2902(c) (relating to general categories of permits), it is unlawful for any person, other than the lawful occupant, while hunting game or wildlife, taking furbearers of any kind, or pursuing any other privilege granted by this title, to hunt for, take, trap, pursue, disturb or otherwise chase any game or wildlife or to discharge, for any reason, any firearm, arrow or other deadly weapon within or through a safety zone, or to shoot at any game or wildlife while it is within the safety zone without the specific advance permission of the lawful occupant thereof.

(b) Penalty.—A violation of this section is a summary offense punishable by a fine of not less than \$200 nor more than \$500. A second or subsequent offense within two calendar years is a summary offense punishable by a fine of not less than \$500 nor more than \$1,000.

(c) Definition.—As used in this section, the term “safety zone” means:

(1) Except as otherwise provided in paragraph (2), the area within 150 yards around and that area which is below the highest point of any occupied dwelling house, residence, or other building or camp occupied by human beings, or any barn, stable, or other building used in connection therewith or any attached or detached playground of any school, nursery school or day-care center.

(2) When applied to properly licensed **[archery deer hunters within any special area designated by commission regulations or any area making use of any special permit issued in accordance with this title or commission regulations]** *persons hunting with bow and arrow or crossbow*, the area within 50 yards around and that area which is below the highest point of any occupied dwelling house, residence or other building or camp occupied by human beings or any barn, stable or other building used in connection therewith and the area within 150 yards around and that area which is below the highest point of any attached or detached playground of any school, nursery school or day-care center.

Section 2. This act shall apply to the hunting license year commencing July 1, 2004, and each hunting license year thereafter.

Section 3. This act shall take effect July 1, 2004.

APPROVED—The 23rd day of June, A.D. 2004.

EDWARD G. RENDELL