

No. 59

## AN ACT

HB 326

Amending the act of June 24, 1939 (P.L.872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," changing the penalty for malicious acts on a private game preserve.

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

Section 1. Section 957, act of June 24, 1939 (P.L.872), known as "The Penal Code," is amended to read:

Section 957. Private Game Preserve Defined.—The term "Private Game Preserve" means a tract of land, owned or controlled by any person or persons, club, association, or corporation, stocked with wild game or fish, or both, enclosed by a fence seven (7) feet or more high, which fence shall be placarded with signs, not less than six (6) inches by ten (10) inches in size, placed not more than five hundred (500) feet apart, upon which shall be lettered "Private Game Preserve." Such signs shall also have thereon substantially a copy of this section.

Whoever enters an enclosed private game preserve with the intent unlawfully and maliciously to injure, break, destroy or steal any animal or thing therein, or unlawfully and maliciously breaks, injures or destroys any fence or enclosure surrounding or along such private game preserve, **[is guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding three hundred dollars (\$300), or to undergo imprisonment not exceeding six (6) months, or both.] shall, upon summary conviction thereof, be sentenced to pay a fine of not more than five hundred dollars (\$500), or to undergo imprisonment for not more than three (3) months, or both.**

Entry upon such private game preserve without permission of the owner or custodian shall be prima facie evidence that such entry was intentional, unlawful and malicious.

An injury done to the fence of any such private game preserve shall be prima facie evidence that the acts committed were done intentionally, unlawfully and maliciously.

APPROVED—The 29th day of July, A. D. 1971.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly  
No. 59.

A handwritten signature in black ink, reading "C. McLeod Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "T" at the end.

*Secretary of the Commonwealth.*