

## No. 72

## AN ACT

## HB 969

Amending the act of June 3, 1937 (P.L.1225, No.316), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," further regulating damage done by hunters.

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

Section 1. The act of June 3, 1937 (P.L.1225, No.316), known as "The Game Law," is amended by adding a section to read:

**Section 803. Damage to Trees.**—*It shall be unlawful while hunting or while preparing to hunt for any wild bird or wild animal, to cause damage to any tree or trees located upon any public or privately owned lands as a result of constructing any tree stand, platform, or any other man-made support of any description, or as a result of using any portable tree stand or any other implement or device of any description to climb any tree. The provisions of this section shall not apply to a private landowner upon land which he owns or to any person to whom he has given written permission in advance.*

*A person who shall damage a tree contrary to the provisions of this section shall, upon summary conviction, be sentenced to remove the tree stand, platform or any other man-made support or climbing device of any description and to pay a penalty of twenty-five dollars (\$25.00) plus costs of prosecution. He shall be liable to pay to the one in control of a tree the value of any damage done by him to the tree as shall be determined by a court of competent jurisdiction. The court may appoint a competent appraiser to determine the value of such damage. The value of the damage determined finally by the court shall be assessed against the defendant and paid to the court for disposition. The court shall deliver the amount collected to the person or governmental agency having legal control over the land where the damage occurred. The court appointed appraiser shall be entitled to a reasonable fee for services rendered which shall be assessed against the defendant as additional costs for delivery to the appraiser by the court.*

Section 2. This act shall take effect immediately.

APPROVED—The 28th day of May, A. D. 1976.

MILTON J. SHAPP