

No. 1981-149

AN ACT

HB 1342

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," requiring a certificate of training for certain hunters.

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

Section 1. Section 301.1, act of June 3, 1937 (P.L.1225, No.316), known as "The Game Law," added March 28, 1968 (P.L.75, No.30), is amended to read:

Section 301.1. **[Licenses for Persons Under Sixteen] Certificate of Training.**—(a) No hunting license shall be issued to any person **[under the age of sixteen years]** unless he presents to the person authorized to issue such license either (i) evidence that he has held a hunting license issued by the Commonwealth of Pennsylvania or another state *or nation* in a prior year, or (ii) a certificate of **[competency] training** as provided in this section, *or (iii) a certification signed by the applicant on the hunting license application stating that he has held a hunting license issued by the Commonwealth of Pennsylvania or another state or nation in a prior year but is unable to produce evidence of holding such license.*

(b) The commission shall provide for a course of instruction in the safe handling of firearms and bows and arrows such as approved by the National Rifle Association of America, and for this purpose may cooperate with any reputable association or organization having as one of its objectives the promotion of safety in the handling of firearms, and bows and arrows.

(c) The commission may designate any person found by it to be competent to give instruction in the handling of firearms, and bows and arrows **[to persons under the age of sixteen years]**. A person so appointed shall give such course of instruction, and upon the successful completion thereof shall issue to the person instructed a certificate of **[competency] training** in the safe handling of firearms and bows and arrows. No charge shall be made for such course of instruction, except for materials or ammunition consumed.

(d) The commission shall furnish information on the requirements of the hunter safety education program as provided herein, said information to be distributed free of charge to applicants for hunting licenses by the persons appointed and authorized to issue such licenses.

Section 2. Section 321 of the act, amended April 14, 1976 (P.L.104, No.45), is amended to read:

Section 321. Penalties.—Any nonresident of this Commonwealth who shall hunt, chase, trap, take, shoot at, wound, or kill, or attempt to

hunt, chase, trap, take, shoot at, wound, kill, or have in possession any wild birds or animals, without a nonresident hunting or trapping license having been lawfully issued to him, shall be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense, and each day shall be considered a separate offense.

Any person who shall falsely certify on the hunting license application that he or she held a hunting license issued by the Commonwealth of Pennsylvania or another state or nation in a prior year shall be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution.

Any person who shall fail to sign his license certificate as hereinbefore provided shall be sentenced to pay a fine of two dollars (\$2) and costs of prosecution.

Any person, properly licensed, who shall fail to display his license tag as hereinbefore provided, shall be sentenced to pay a fine of five dollars (\$5) and costs of prosecution, provided it is shown the person has purchased a license; otherwise, if a resident of Pennsylvania, a penalty of twenty dollars (\$20) and costs of prosecution shall be imposed, and if a nonresident, a penalty of one hundred dollars (\$100) and costs of prosecution shall be imposed.

Any person who violates any of the provisions of this article except as above provided, shall, upon conviction, be sentenced to pay a fine of twenty dollars (\$20) and costs of prosecution of each offense: Provided, That an additional fine of twenty dollars (\$20) and costs of prosecution shall be imposed when any person is convicted of:

(a) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission, or by this act, and each day shall be considered a separate offense;

(b) Securing a hunter's license either in his own or an assumed name during any period of time that he has been denied such privilege by the commission;

(c) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission or any court of record because of inflicting bodily injury upon himself or any other person while hunting or trapping, shall, upon conviction, in addition to the penalties provided, be sentenced to suffer imprisonment for a period of thirty (30) days.

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution, and in addition thereto shall, in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

Section 3. This act shall take effect September 1, 1982.

APPROVED—The 22nd day of December, A. D. 1981.