

No. 1982-51

AN ACT

HB 1601

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 providing for open season for raccoons.

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

Section 1. Subsection (b) of section 501, act of June 3, 1937 (P.L.1225, No.316), known as "The Game Law," amended January 14, 1952 (1951 P.L.2020, No.564), is amended to read:

Section 501. Open Seasons.—* * *

(b) **[Raccoons Not to Be Trapped; Exceptions; Removal of Protection, etc.] *Taking of Raccoons Regulated.*** Except in defense of person or property, it is unlawful for any person to take, or attempt to take, raccoons through the use of traps **[or deadfalls]**, except in such county or counties as the commission may, by proper resolution, **[public notice of which shall be given as hereinafter provided,]** declare open to trapping when in its opinion raccoons are sufficiently abundant to justify such trapping.**[, but the provisions of this subsection shall not be construed to prevent any bona fide occupant of a farm which lies within any county not declared open to general public raccoon trapping, who is a citizen of the United States and actually resides upon and cultivates such farm, or any immediate member of his family, or regularly hired help of such occupant, if any such person is a citizen of the United States, actually residing upon and cultivating such farm, from trapping raccoons thereon, including the woodlands connected therewith as a part thereof, so long as any such person complies with the provisions of this act or the rules and regulations adopted thereunder governing trapping methods, seasons and bag limits, unless the commission has denied or this act does deny to any such person the right to hunt or trap anywhere in this Commonwealth.]**

After investigation or upon information otherwise obtained **[by the Department of Agriculture]** as to any county being infested with rabies, the commission **[shall, upon notice given by said department,]** *may* remove all protection on raccoons in such infested counties, or declare an open season on such animals, or direct the killing and disposition of same, in such manner as the case may require.

Whenever the commission fixes open seasons for hunting or trapping raccoons, or whenever such open seasons are established as otherwise provided in this section, such open seasons shall be thirty days shorter for nonresidents of the Commonwealth. The thirty days of extra open

seasons for residents of the Commonwealth shall be the first thirty days of the open season.

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Section 2. This act shall take effect September 1, 1982.

APPROVED—The 7th day of March, A. D. 1982.

DICK THORNBURGH