
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1440 Session of
2023

INTRODUCED BY MEHAFFIE, ADAMS AND NEILSON, JUNE 21, 2023

REFERRED TO COMMITTEE ON GAME AND FISHERIES, JUNE 21, 2023

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in Pennsylvania Game Commission, further providing
3 for powers and duties of commission; in hunting and furtaking
4 licenses, further providing for classes of licenses and for
5 license costs and fees; and making an editorial change.

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

8 Section 1. Section 322(c) of Title 34 of the Pennsylvania
9 Consolidated Statutes is amended by adding a paragraph to read:

10 § 322. Powers and duties of commission.

11 * * *

12 (c) Specific powers and duties.--In order to administrate
13 and enforce this title, the commission through proper action
14 shall:

15 * * *

16 (14) Establish license and permit fees as follows:

17 (i) The commission shall publish a notice of
18 proposed rulemaking containing the proposed license or
19 permit class or fee changes in accordance with section
20 201 of the act of July 31, 1968 (P.L.769, No.240),

1 referred to as the Commonwealth Documents Law. The
2 commission shall give at least 30 days for the submission
3 of written comments and shall hold at least one public
4 hearing on the proposed change.

5 (ii) Prior to adoption of a final-form regulation
6 containing a license or permit class or fee change, the
7 commission shall review and consider any public comments
8 and may modify the text of the final-form regulation, as
9 necessary, under section 202 of the Commonwealth
10 Documents Law.

11 (iii) After adoption of a final-form regulation
12 containing a license or permit class or fee change, the
13 commission shall submit the final-form regulation, copies
14 of all public comments and the transcript of the public
15 hearing to the Game and Fisheries Committee of the Senate
16 and the Game and Fisheries Committee of the House of
17 Representatives.

18 (iv) Either committee under subparagraph (iii) may
19 report a concurrent resolution recommending disapproval
20 of the license or permit class or fee change within 30
21 days of the submission under subparagraph (iii) or within
22 10 legislative days of the submission, whichever is
23 later. If neither committee reports a concurrent
24 resolution recommending disapproval within the time
25 prescribed in this subparagraph, the license or permit
26 class or fee change shall be deemed approved.

27 (v) If either committee reports a concurrent
28 resolution under subparagraph (iv) and the General
29 Assembly does not adopt the concurrent resolution within
30 30 days of the date on which the concurrent resolution is

1 reported or within 10 legislative days of the report,
2 whichever is later, the license or permit class or fee
3 change shall be deemed approved.

4 (vi) If the General Assembly adopts a concurrent
5 resolution under subparagraph (iv) within 30 days of the
6 date on which the concurrent resolution is reported or
7 within 10 legislative days, whichever is later, the
8 following shall apply:

9 (A) The concurrent resolution shall be presented
10 to the Governor in accordance with section 9 of
11 Article III of the Constitution of Pennsylvania.

12 (B) If the Governor does not veto the concurrent
13 resolution of the General Assembly within 10 days
14 after the concurrent resolution is presented, the
15 license or permit class or fee change shall be deemed
16 disapproved.

17 (C) If the Governor vetoes the concurrent
18 resolution within 10 days after it is presented, the
19 General Assembly may, within 30 days of the veto or
20 within 10 legislative days of the veto, whichever is
21 later, override the veto by a two-thirds vote in each
22 house. If the General Assembly does not override the
23 veto in the time prescribed in this clause, the
24 license or permit class or fee change shall be deemed
25 approved. If the General Assembly overrides the veto
26 in the time prescribed in this clause, the license or
27 permit class or fee change shall be deemed
28 disapproved.

29 (vii) If the license or permit class or fee change
30 is deemed approved under subparagraph (iv), (v) or (vi)

1 (C), the commission shall:

2 (A) submit the final-form regulation containing
3 the license or permit class or fee change to the
4 Office of Attorney General for approval as to
5 legality; and

6 (B) publish an order adopting the final-form
7 regulation containing the license or permit class or
8 fee change and deposit the text of the order with the
9 Legislative Reference Bureau in accordance with
10 section 207 of the Commonwealth Documents Law.

11 Section 2. Section 2705 of Title 34 is amended to read:

12 § 2705. Classes of licenses.

13 [Unless otherwise provided, any person wishing to exercise
14 any of the privileges granted by this title shall first secure
15 the applicable resident or nonresident hunting or furtaker
16 license as follows:

17 (1) Adult resident hunting licenses to residents who
18 have reached their 17th birthday but have not reached their
19 65th birthday.

20 (2) Junior resident hunting licenses to residents who
21 have reached or will reach their 12th birthday in the license
22 year of application for a license but who have not reached
23 their 17th birthday prior to the date of the application for
24 the license and who present a written request, bearing the
25 signature of a parent or guardian, for the issuance of a
26 license. The actual hunting privileges granted to the holder
27 of a junior license shall not be exercised until that person
28 in fact is 12 years of age.

29 (3) Senior resident hunting licenses or, at the option
30 of the applicant, a senior lifetime resident hunting license

1 to residents who have reached or will reach their 65th
2 birthday in the license year of the application for the
3 license. The commission shall develop, implement and
4 administer a system to provide tags, report cards and
5 applications to those residents who hold a senior lifetime
6 resident hunting license issued under this paragraph. The
7 system shall require the applicant or license holder to pay
8 any approved fee assessed by the issuing agent.

9 (4) Adult resident furtaker licenses to residents who
10 have reached their 17th birthday but have not reached their
11 65th birthday.

12 (5) Junior resident furtaker licenses to residents who
13 have reached or will reach their 12th birthday in the license
14 year of application for a license but who have not reached
15 their 17th birthday prior to the date of the application for
16 the license and who present a written request, containing the
17 signature of a parent or guardian, for the issuance of a
18 license. The actual furtaking privileges granted to the
19 holder of a junior license shall not be exercised until that
20 person in fact is 12 years of age.

21 (6) Senior resident furtaker licenses or, at the option
22 of the applicant, a senior lifetime resident furtaker license
23 to residents who have reached or will reach their 65th
24 birthday in the license year of the application for the
25 license.

26 (7) Senior lifetime resident combination hunting and
27 furtaking license, including archery and muzzleloader
28 privileges, to residents who have reached or will reach their
29 65th birthday in the license year of the application for the
30 license. The commission shall develop, implement and

1 administer a system to provide tags, report cards and
2 applications to those residents who hold a senior lifetime
3 resident hunting license issued under this paragraph. The
4 system shall require the applicant or license holder to pay
5 any approved fee assessed by the issuing agent.

6 (7.1) Junior resident combination hunting and furtaker
7 license, including archery and muzzleloader privileges, to
8 residents who have reached or will reach their 12th birthday
9 in the license year of application for a license but who have
10 not reached their 17th birthday prior to the date of the
11 application for the license and who present a written
12 request, containing the signature of a parent or guardian,
13 for the issuance of a license. The actual privileges granted
14 to the holder of a junior resident combination license shall
15 not be exercised until that person in fact is 12 years of
16 age.

17 (8) Adult nonresident hunting licenses to all
18 nonresidents of 17 years of age or older.

19 (9) Junior nonresident hunting licenses to all
20 nonresidents who have reached or will reach their 12th
21 birthday in the license year of application for a license but
22 who have not reached their 17th birthday prior to the date of
23 the application for the license and who present a written
24 request, bearing the signature of a parent or guardian, for
25 the issuance of a license. The actual hunting privileges
26 granted to the holder of a junior license shall not be
27 exercised until that person in fact is 12 years of age.

28 (10) Adult nonresident furtaker licenses to nonresidents
29 of 17 years of age or older.

30 (11) Junior nonresident furtaker licenses to

1 nonresidents who have reached or will reach their 12th
2 birthday in the license year of application for a license but
3 who have not reached their 17th birthday prior to the date of
4 the application for the license and who present a written
5 request, containing the signature of a parent or guardian,
6 for the issuance of a license. The actual furtaking
7 privileges granted to the holder of a junior license shall
8 not be exercised until that person in fact is 12 years of
9 age.

10 (11.1) Junior nonresident combination hunting and
11 furtaker license, including archery and muzzleloader
12 privileges, to nonresidents who have reached or will reach
13 their 12th birthday in the license year of application for a
14 license but who have not reached their 17th birthday prior to
15 the date of the application for the license and who present a
16 written request, containing the signature of a parent or
17 guardian, for the issuance of a license. The actual
18 privileges granted to the holder of a junior nonresident
19 combination license shall not be exercised until that person
20 in fact is 12 years of age.

21 (12) Seven-day nonresident small game license to persons
22 eligible to procure a nonresident hunting license. The
23 license shall be valid for a period of seven consecutive
24 days. The holder of the license shall be entitled to hunt
25 for, take or kill crows and small game.

26 (13) Antlerless deer licenses, bear licenses, archery
27 licenses, muzzleloader licenses and any other license
28 required to insure just and proper administration of this
29 title and sound game or wildlife conservation to eligible
30 persons, subject to the regulations, requirements and

1 conditions which the commission shall establish. Any such
2 license shall be made available to residents serving on
3 active duty in the armed forces of the United States or in
4 the United States Coast Guard without regard to quota
5 limitations or application deadlines.

6 (14) Migratory game bird licenses for hunting all
7 migratory game birds to eligible persons, subject to the
8 regulations, requirements and conditions which the commission
9 shall establish. Any such license shall be made available to
10 residents serving on active duty in the armed forces of the
11 United States or in the United States Coast Guard without
12 regard to quota limitations or application deadlines.

13 (15) Elk hunting license to persons eligible for classes
14 of licenses in paragraphs (1), (2), (3), (7), (7.1), (8), (9)
15 and (11.1). Notwithstanding any other provisions of this
16 title or the regulations promulgated thereunder, elk licenses
17 under this paragraph shall not be subject to the provisions
18 of sections 2706 (relating to resident license and fee
19 exemptions) and 2706.1 (relating to complimentary nonresident
20 licenses). To ensure sound management of Pennsylvania's wild
21 elk population, the commission may promulgate regulations to
22 establish a limited number of licenses. The commission may
23 establish a nonrefundable application fee at a cost of \$10.

24 (16) Special wild turkey license to be used in
25 conjunction with an adult or junior resident license, adult
26 or junior nonresident license, senior resident license,
27 senior resident lifetime license, senior lifetime resident
28 combination hunting and furtaking license and junior resident
29 and nonresident combination hunting and furtaking license
30 when the commission by regulation authorizes the harvest of

1 wild turkeys over and above the number of turkey harvest tags
2 attached to the preceding licenses.]

3 (a) General rule.--Unless otherwise provided in this title,
4 a person wishing to exercise any of the privileges granted by
5 this title shall first secure the applicable resident or
6 nonresident hunting or furtaker licenses established by the
7 commission. The commission shall promulgate regulations to
8 create licenses the commission deems necessary to properly
9 manage the game or wildlife resources of this Commonwealth and
10 define the activities which may be performed under authority
11 granted by the issued licenses.

12 (b) Limitations on establishment of licenses.--

13 (1) A new license or change in license class established
14 by the commission under subsection (a) must be made under
15 section 322(c)(14) (relating to powers and duties of
16 commission).

17 (2) The commission shall maintain all license classes
18 existing prior to the effective date of this subsection for a
19 period of three years from the effective date of this
20 subsection by promulgation of regulations in accordance with
21 the act of July 31, 1968 (P.L.769, No.240), referred to as
22 the Commonwealth Documents Law. This paragraph shall not
23 apply to a new license class first established after the
24 effective date of this subsection.

25 Section 3. Section 2709 heading and (a) of Title 34, amended
26 January 26, 2022 (P.L.14, No.3), are amended and the section is
27 amended by adding a subsection to read:

28 § 2709. License [costs and] fees.

29 (a) [License costs.--Any person who qualifies under the
30 provisions of this chapter shall be issued the applicable

1 license upon payment of the following costs and the issuing
2 agent's fee:

3 (1) (i) Junior resident hunting - \$5.

4 (ii) Junior resident combination hunting and
5 furtaker - \$8.

6 (2) (i) Adult resident hunting - \$19.

7 (ii) Resident military personnel hunting - \$1.

8 (iii) Former prisoner of war hunting - \$1.

9 (iv) Pennsylvania National Guard hunting - \$1.

10 (v) Reserve component of the armed forces hunting -
11 \$1.

12 (vi) Volunteer instructor license - \$1.

13 (3) (i) Senior resident hunting - \$12.

14 (ii) Senior lifetime resident hunting - \$50.

15 (iii) Senior lifetime resident combination hunting
16 and furtaker - \$100.

17 (4) Bear hunting:

18 (i) Resident - \$15.

19 (ii) Nonresident - \$35.

20 (5) Antlerless deer:

21 (i) Resident, including resident military, resident
22 disabled veteran and landowner - \$5.

23 (ii) Nonresident - \$25.

24 (6) Archery deer:

25 (i) Resident - \$15.

26 (ii) Nonresident - \$25.

27 (7) Muzzleloader deer:

28 (i) Resident - \$10.

29 (ii) Nonresident - \$20.

30 (8) (Reserved).

- 1 (9) Adult nonresident hunting - \$100.
- 2 (10) (i) Junior nonresident hunting - \$40.
- 3 (ii) Junior nonresident combination hunting and
- 4 furtaker - \$50.
- 5 (11) Seven-day nonresident small game - \$30.
- 6 (12) Junior resident furtakers - \$5.
- 7 (13) Adult resident furtakers - \$19.
- 8 (14) (i) Senior resident furtakers - \$12.
- 9 (ii) Senior lifetime resident furtaker - \$50.
- 10 (15) Adult nonresident furtaker - \$80.
- 11 (16) Junior nonresident furtaker - \$40.
- 12 (17) Resident disabled veteran hunting or furtaker under
- 13 section 2706(b) (relating to disabled veterans) - no cost.
- 14 (18) Replacement license - \$5. Antlerless deer and bear
- 15 licenses shall be replaced by the original issuing agent
- 16 only.
- 17 (19) Owners or possessors of land open to public hunting
- 18 under section 2706(d) (relating to owners or possessors of
- 19 land open to public hunting) - \$3.
- 20 (20) Migratory game bird hunting license:
- 21 (i) Resident - \$2.
- 22 (ii) Nonresident - \$5.
- 23 (21) Elk hunting license:
- 24 (i) Resident - \$25.
- 25 (ii) Nonresident - \$250.
- 26 (22) Special wild turkey license:
- 27 (i) Resident - \$20.
- 28 (ii) Nonresident - \$40.] License fees.--Unless
- 29 otherwise provided in this chapter, a person who
- 30 qualifies under the provisions of this chapter shall be

1 issued the applicable license upon payment of the
2 applicable fees set by the commission. The commission
3 shall, as deemed necessary to properly manage the game or
4 wildlife resources of this Commonwealth, promulgate
5 regulations setting applicable fees for a license
6 established under the authority of section 2705 (relating
7 to classes of licenses).

8 (a.1) Limitations on fee setting.--

9 (1) A new fee or change in fee set by the commission
10 under subsection (a) must be made under section 322(c)(14)
11 (relating to powers and duties of commission).

12 (2) The commission shall maintain all license fees for
13 applicable license classes existing under subsection (a)
14 prior to the effective date of this subsection for a period
15 of three years from the effective date of this subsection by
16 promulgation of regulations in accordance with the act of
17 July 31, 1968 (P.L.769, No.240), referred to as the
18 Commonwealth Documents Law. This paragraph does not apply to
19 fees set for new licenses first established after the
20 effective date of this subsection.

21 * * *

22 Section 4. Section 2712(b) of Title 34 is amended to read:

23 § 2712. Vouchers for licenses and permits.

24 * * *

25 (b) Fees.--A person purchasing a voucher shall pay the costs
26 for the type of license or permit being purchased and the
27 issuing agent fee as provided in sections 2709 (relating to
28 license [costs and] fees) and 2904 (relating to permit fees).

29 * * *

30 Section 5. This act shall take effect in 60 days.