

Unified Sportsmen of PA Press Release

May 3, 2024

PA SENATE BILL TAKES AWAY PRIVATE PROPERTY RIGHTS

When the Sunday hunting bill was passed by the state Legislature and signed by the Governor in 2019, a little-noticed amendment was added to the bill before passage.

The amendment allows hunters to enter privately owned lands, posted or not, at any time to retrieve a hunting dog without the knowledge and permission of the landowner.

While retrieving a hunting dog is not the issue, the constitutionality of the legislation is the issue. Government does not have the right to dictate to a private property owner who they must allow onto their property for any reason. That is a decision made solely by the property owner.

Senate Bill 1087, when introduced in February by Senators Rothman, Dush, Culver, and Vogel, would have eliminated the 'dog retrieval' clause from the Game and Wildlife Code.

Subsequently, an out-of-state sportsmen's organization contacted the bill sponsors and successfully had the 'dog retrieval' clause reinserted into the bill.

The unfettered right, by legislation and written into law, allowing trespassing onto private property flies in the face of the 'Takings Cause' of the Fifth Amendment and the 'Due Process Clause' of the United States Constitution. Private property rights are paramount to all else.

This provision could lead to confrontations between landowners and trespassers if allowed to stand. It would also potentially expose the landowner to liability if a trespasser is injured while on the property.

Everyone who values the constitutional protections afforded to private property owners should contact their state representative and senator to request that the 'dog retrieval' provision of the Game and Wildlife Code be removed and private property rights fully restored.

If this law provision can stand, you must ask yourself, 'What's next?'

As SB 1087 is currently written, the Unified Sportsmen of PA opposes it.

Contact: USP – www.gousp.org

Email address contact@unifiedsportsmenpa.org