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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2217 Session of 2001

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INTRODUCED BY L. I. COHEN, BARD, BEBKO-JONES, BROWNE, CRUZ,  
CURRY, FRANKEL, GEORGE, HENNESSEY, HORSEY, MCGILL, MELIO,  
PALLONE, ROBINSON, SHANER, THOMAS, G. WRIGHT AND YOUNGBLOOD,  
DECEMBER 10, 2001

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REFERRED TO COMMITTEE ON JUDICIARY, DECEMBER 10, 2001

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further defining the offense of ethnic  
3 intimidation to include ancestry.

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

6 Section 1. Section 2710 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 2710. Ethnic intimidation.

9 (a) Offense defined.--A person commits [the offense of  
10 ethnic intimidation] an offense under this section if, with  
11 malicious intention toward the actual or perceived race, color,  
12 religion [or], national origin or ancestry of another individual  
13 or group of individuals, he commits an offense under any other  
14 provision of this article or under Chapter 33 (relating to  
15 arson, criminal mischief and other property destruction)  
16 exclusive of section 3307 (relating to institutional vandalism)  
17 or under section 3503 (relating to criminal trespass) or under

1 section 5504 (relating to harassment by communication or  
2 address) with respect to such individual or his or her property  
3 or with respect to one or more members of such group or to their  
4 property.

5 (b) Grading.--An offense under this section shall be  
6 classified as a misdemeanor of the third degree if the other  
7 offense is classified as a summary offense. Otherwise, an  
8 offense under this section shall be classified one degree higher  
9 in the classification specified in section 106 (relating to  
10 classes of offenses) than the classification of the other  
11 offense.

12 (c) [Definition] Definitions.--As used in this section,  
13 ["malicious intention" means the] the following words and  
14 phrases shall have the meanings given to them in this  
15 subsection:

16 "Malicious intention." The intention to commit any act, the  
17 commission of which is a necessary element of any offense  
18 referred to in subsection (a) motivated by hatred toward the  
19 actual or perceived race, color, religion [or], national origin  
20 or ancestry of another individual or group of individuals.

21 Section 2. This act shall take effect in 60 days.