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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1574 Session of  
2015

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INTRODUCED BY MARSICO, BISHOP, HELM, ENGLISH, BOBACK, MILLARD,  
V. BROWN, FARINA, REGAN, DRISCOLL, MURT, READSHAW, D. COSTA,  
KOTIK, McNEILL, KILLION, JOZWIAK, COHEN, A. HARRIS, JAMES,  
COX, BARBIN, SCHWEYER, WARD, WHITE, WATSON, DeLUCA,  
M. K. KELLER, GROVE, PHILLIPS-HILL, VEREB, PETRI, GINGRICH,  
BAKER, SAYLOR, D. PARKER, PICKETT, RADER, STEPHENS, RAPP,  
TOEPEL, EVERETT, KORTZ, DELOZIER, TOOHL, SAMUELSON, O'NEILL,  
PYLE AND CALTAGIRONE, SEPTEMBER 30, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 30, 2015

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AN ACT

1 Amending the act of December 15, 1986 (P.L.1595, No.175),  
2 entitled "An act prohibiting hazing; and providing  
3 penalties," further providing for definitions and for  
4 enforcement.

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

7 Section 1. Sections 2 and 4 of the act of December 15, 1986  
8 (P.L.1595, No.175), known as the Antihazing Law, are amended to  
9 read:

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall  
12 have the meanings given to them in this section unless the  
13 context clearly indicates otherwise:

14 "Hazing." Any action or situation which recklessly or  
15 intentionally endangers the mental or physical health or safety  
16 of [a student] a person or which willfully destroys or removes

1 public or private property for the purpose of initiation or  
2 admission into or affiliation with, or as a condition for  
3 continued membership in, any organization [operating under the  
4 sanction of or recognized as an organization by an institution  
5 of higher education]. The term shall include, but not be limited  
6 to, any brutality of a physical nature, such as whipping,  
7 beating, branding, forced calisthenics, exposure to the  
8 elements, forced consumption of any food, liquor, drug or other  
9 substance, or any other forced physical activity which could  
10 adversely affect the physical health and safety of the  
11 individual, and shall include any activity which would subject  
12 the individual to extreme mental stress, such as sleep  
13 deprivation, forced exclusion from social contact, forced  
14 conduct which could result in extreme embarrassment, or any  
15 other forced activity which could adversely affect the mental  
16 health or dignity of the individual, or any willful destruction  
17 or removal of public or private property. For purposes of this  
18 definition, any activity as described in this definition upon  
19 which the initiation or admission into or affiliation with or  
20 continued membership in an organization is directly or  
21 indirectly conditioned shall be presumed to be "forced"  
22 activity, the willingness of an individual to participate in  
23 such activity notwithstanding.

24 "Institution of higher education" or "institution." Any  
25 public or private institution within this Commonwealth  
26 authorized to grant an associate degree or higher academic  
27 degree.

28 "Secondary school." Any public or private school within this  
29 Commonwealth providing instruction in grades 7 through 12 or any  
30 combination of those grades.

1 Section 4. Enforcement by institution and secondary school.

2 (a) Antihazing policy.--Each institution and secondary  
3 school shall adopt a written antihazing policy and, pursuant to  
4 that policy, shall adopt rules prohibiting students or other  
5 persons associated with any organization operating under the  
6 sanction of or recognized as an organization by the institution  
7 and secondary school from engaging in any activity which can be  
8 described as hazing.

9 (b) Enforcement and penalties.--

10 (1) Each institution and secondary school shall provide  
11 a program for the enforcement of such rules and shall adopt  
12 appropriate penalties for violations of such rules to be  
13 administered by the person or agency at the institution or  
14 secondary school responsible for the sanctioning or  
15 recognition of such organizations.

16 (2) Such penalties may include the imposition of fines,  
17 the withholding of diplomas or transcripts pending compliance  
18 with the rules or pending payment of fines and the imposition  
19 of probation, suspension [or], dismissal or expulsion.

20 (3) In the case of an organization which authorizes  
21 hazing in blatant disregard of such rules, penalties may also  
22 include recision of permission for that organization to  
23 operate on campus or other school property or to otherwise  
24 operate under the sanction or recognition of the institution  
25 or secondary school.

26 (4) All penalties imposed under the authority of this  
27 section shall be in addition to any penalty imposed for  
28 violation of section 3 or any of the criminal laws of this  
29 State or for violation of any other institutional or  
30 secondary school rule to which the violator may be subject.

1           (5) Rules adopted pursuant hereto shall apply to acts  
2           conducted on or off campus or other school property whenever  
3           such acts are deemed to constitute hazing.  
4           Section 2. This act shall take effect in 60 days.