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

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

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

Section 2. Definitions.
The following words and phrases when used in this act shall
have the meanings given to them in this section unless the
context clearly indicates otherwise:

"Hazing." Any action or situation which recklessly or
intentionally endangers the mental or physical health or safety of [a student] a person or which willfully destroys or removes
public or private property for the purpose of initiation or
admission into or affiliation with, or as a condition for
continued membership in, any organization [operating under the
sanction of or recognized as an organization by an institution
of higher education]. The term shall include, but not be limited
to, any brutality of a physical nature, such as whipping,
beating, branding, forced calisthenics, exposure to the
elements, forced consumption of any food, liquor, drug or other
substance, or any other forced physical activity which could
adversely affect the physical health and safety of the
individual, and shall include any activity which would subject
the individual to extreme mental stress, such as sleep
deprivation, forced exclusion from social contact, forced
conduct which could result in extreme embarrassment, or any
other forced activity which could adversely affect the mental
health or dignity of the individual, or any willful destruction
or removal of public or private property. For purposes of this
definition, any activity as described in this definition upon
which the initiation or admission into or affiliation with or
continued membership in an organization is directly or
indirectly conditioned shall be presumed to be "forced"
activity, the willingness of an individual to participate in
such activity notwithstanding.

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

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

Section 4. Enforcement by institution and secondary school.

(a) Antihazing policy.--

(1) Each institution and each governing board of a
secondary school shall adopt a written antihazing policy
and, pursuant to that policy, shall adopt rules prohibiting
students or other persons associated with any organization operating under the sanction of or recognized as an organization by the institution or secondary school from engaging in any activity which can be described as hazing.

(2) Each secondary school shall provide a copy of the written antihazing policy, its rules, penalties and program of enforcement to all athletic coaches involved in organizations within the secondary school.

(3) Each governing board of a secondary school shall post its written antihazing policy on its publicly accessible Internet website.

(b) Enforcement and penalties.--

(1) Each institution and each governing board of a secondary school shall provide a program for the enforcement of such rules and shall adopt appropriate penalties for violations of such rules to be administered by the person or agency at the institution or secondary school responsible for the sanctioning or recognition of such organizations.

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

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

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

(5) Rules adopted pursuant hereto shall apply to acts conducted on or off campus or other school property whenever such acts are deemed to constitute hazing.

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

APPROVED--The 24th day of May, A.D. 2016.

TOM WOLF