

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 749

Session of
1985

INTRODUCED BY JOHNSON, MICOZZIE, VROON, CIMINI, SEMMEL AND
HERMAN, MARCH 26, 1985

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 30, 1986

AN ACT

1 Prohibiting hazing; and providing penalties.

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

4 Section 1. Short title.

5 This act shall be known and may be cited as the Antihazing
6 Law.

7 Section 2. Definitions.

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

11 "Hazing." Any action or situation which recklessly or
12 intentionally endangers the mental or physical health or safety
13 of a student OR WHICH WILLFULLY DESTROYS OR REMOVES PUBLIC OR <—
14 PRIVATE PROPERTY for the purpose of initiation or admission into
15 or affiliation with, OR AS A CONDITION FOR CONTINUED MEMBERSHIP <—
16 IN, any organization operating under the sanction of OR <—

1 RECOGNIZED AS AN ORGANIZATION BY an institution of higher
2 education. The term shall include, but not be limited to, any
3 brutality of a physical nature, such as whipping, beating,
4 branding, forced calisthenics, exposure to the elements, forced
5 consumption of any food, liquor, drug or other substance, or any
6 other forced physical activity which could adversely affect the
7 physical health and safety of the individual, and shall include
8 any activity which would subject the individual to extreme
9 mental stress, such as sleep deprivation, forced exclusion from
10 social contact, forced conduct which could result in extreme
11 embarrassment, or any other forced activity which could
12 adversely affect the mental health or dignity of the individual, <—
13 OR ANY WILLFUL DESTRUCTION OR REMOVAL OF PUBLIC OR PRIVATE
14 PROPERTY. For purposes of this definition, any activity as
15 described in this definition upon which the initiation or
16 admission into or affiliation with OR CONTINUED MEMBERSHIP IN an <—
17 organization is directly or indirectly conditioned shall be
18 presumed to be "forced" activity, the willingness of an
19 individual to participate in such activity notwithstanding.

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

24 Section 3. Hazing prohibited.

25 Any person who causes or participates in hazing commits a
26 misdemeanor of the third degree.

27 Section 4. Enforcement by institution.

28 (a) Antihazing policy.--Each institution shall adopt a
29 written antihazing policy and, pursuant to that policy, shall
30 adopt rules prohibiting students or other persons associated

1 with any organization ~~affiliated with~~ OPERATING UNDER THE <—
2 SANCTION OF OR RECOGNIZED AS AN ORGANIZATION BY the institution
3 from engaging in any activity which can be described as hazing.

4 (b) Enforcement and penalties.--

5 (1) Each institution shall provide a program for the
6 enforcement of such rules and shall adopt appropriate
7 penalties for violations of such rules to be administered by
8 the person or agency at the institution responsible for the
9 sanctioning of ~~such institutional~~ OR RECOGNITION OF SUCH <—
10 organizations.

11 (2) Such penalties may include the imposition of fines,
12 the withholding of diplomas or transcripts pending compliance
13 with the rules or pending payment of fines and the imposition
14 of probation, suspension or dismissal.

15 (3) In the case of an ~~institutional~~ organization which <—
16 authorizes hazing in blatant disregard of such rules,
17 penalties may also include recision of permission for that
18 organization to operate on campus property or to otherwise
19 operate under the sanction OR RECOGNITION of the institution. <—

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

25 (5) Rules adopted pursuant hereto shall apply to acts
26 conducted on or off campus whenever such acts are deemed to
27 constitute hazing.

28 Section 5. Effective date.

29 This act shall take effect in 60 days.