

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 858 Session of
1993

INTRODUCED BY RUDY, JOSEPHS, VEON, SURRA, TRELLO, BEBKO-JONES,
TIGUE, DENT, PISTELLA, PESCI, MELIO, MANDERINO, HECKLER,
STURLA, GODSHALL, MILLER, GEIST, PRESTON, HENNESSEY, KASUNIC,
L. I. COHEN, ARMSTRONG, FAJT, STEELMAN, LAUGHLIN AND
WILLIAMS, MARCH 23, 1993

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 23, 1993

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting intimidation based on
3 handicap or disability.

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] Intimidation based on ethnicity
9 or disability.

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

1 institutional vandalism) or under section 3503 (relating to
2 criminal trespass) or under section 5504 (relating to harassment
3 by communication or address) with respect to such individual or
4 his or her property or with respect to one or more members of
5 such group or to their property.

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

13 (c) Definition.--As used in this section, "malicious
14 intention" means the intention to commit any act, the commission
15 of which is a necessary element of any offense referred to in
16 subsection (a) motivated by hatred toward the race, color,
17 religion [or], national origin or handicap or disability of
18 another individual or group of individuals.

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