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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 1566** Session of  
1989

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INTRODUCED BY HECKLER, ITKIN, CORNELL, HAYDEN, NAHILL, McHALE,  
LASHINGER, COWELL, PRESSMANN, BORTNER, MELIO, RITTER, ROEBUCK  
AND MORRIS, MAY 30, 1989

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REFERRED TO COMMITTEE ON JUDICIARY, MAY 30, 1989

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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 sexual orientation.

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] Discriminatory intimidation.

9 (a) Offense defined.--A person commits the offense of  
10 [ethnic] discriminatory intimidation if, with malicious  
11 intention toward the race, color, religion [or], national origin  
12 or sexual orientation of another individual or group of  
13 individuals, he commits an offense under any other provision of  
14 this article or under Chapter 33 (relating to arson, criminal  
15 mischief and other property destruction) exclusive of section  
16 3307 (relating to institutional vandalism) or under section 3503  
17 (relating to criminal trespass) or under section 5504 (relating  
18 to harassment by communication or address) with respect to such

1 individual or his or her property or with respect to one or more  
2 members of such group or to their property.

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

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

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