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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1796 Session of  
2013

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INTRODUCED BY STEPHENS, VEREB, SCHLOSSBERG, ROZZI, COHEN,  
SWANGER, GODSHALL, WATSON, MURT, REED, DELOZIER, HARPER,  
SAYLOR AND PARKER, OCTOBER 22, 2013

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 22, 2013

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AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania  
2 Consolidated Statutes, in preemptions, providing for  
3 protection for victims of crime.

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

6 Section 1. Title 53 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 303. Protection for victims of crime.

9 (a) General rule.--No ordinance enacted by a municipality  
10 shall penalize a resident or landlord for police or emergency  
11 assistance if the assistance was requested or dispatched based  
12 upon the reasonable belief that an individual was in need of  
13 intervention or emergency assistance.

14 (b) Applicability.--The provisions of subsection (a) shall  
15 apply irrespective of the effective date of the ordinance.

16 (c) Remedies.--If a municipality enforces or attempts to  
17 enforce an ordinance against a resident or landlord in violation  
18 of subsection (a), the resident or landlord may bring a civil

1 action for a violation of this section and seek an order from a  
2 court of competent jurisdiction for any of the following  
3 remedies:

4 (1) An order requiring the municipality to cease and  
5 desist the unlawful practice.

6 (2) Payment of compensatory damages.

7 (3) Payment of punitive damages, not to exceed \$1,000  
8 per violation.

9 (4) Payment of reasonable attorney fees.

10 (5) Payment of court costs.

11 (6) Other relief as the court may deem appropriate.

12 (d) Preemption.--This section preempts any inconsistent  
13 local ordinance or rule.

14 (e) Definition.--As used in this section, the term  
15 "penalize" includes to harass, threaten, harm, damage or  
16 otherwise retaliate or discriminate, assess fines or to evict or  
17 cause eviction from leased premises.

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