

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1655 Session of
1989

INTRODUCED BY JOSEPHS, RITTER, BISHOP, ROEBUCK, KUKOVICH, ITKIN,
LEVDANSKY, MICHLOVIC, HECKLER, FOX, COHEN, VEON, PISTELLA,
PRESTON, RICHARDSON, CORNELL, HAYDEN, R. C. WRIGHT, DeWEESE,
EVANS, MORRIS, LINTON, BORTNER, NAHILL, PRESSMANN, McHALE,
FREEMAN, TRICH AND HARPER, JUNE 6, 1989

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 6, 1989

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 intimidation.

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

1 by communication or address) with respect to such individual or
2 his or her property or with respect to one or more members of
3 such group or to their property.

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

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

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