

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, HARPER, CARN, WAMBACH, JAMES, WILLIAMS,
ACOSTA, THOMAS AND HUGHES, JUNE 6, 1989

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, FEBRUARY 6, 1990

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; AND CHANGING THE <—
4 DESIGNATION OF THE OFFENSE.

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

7 Section 1. Section 2710 of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 2710. [Ethnic intimidation.] BIAS-RELATED OFFENSES. <—

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

1 3307 (relating to institutional vandalism) or under section 3503
2 (relating to criminal trespass) or under section 5504 (relating
3 to harassment by communication or address) with respect to such
4 individual or his or her property or with respect to one or more
5 members of 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 sexual orientation of another
18 individual or group of individuals.

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