
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 571 Session of
2017

INTRODUCED BY STREET, TARTAGLIONE, SCHWANK, LEACH, DINNIMAN,
HUGHES, COSTA, AUMENT, FONTANA AND RESCHENTHALER,
APRIL 5, 2017

REFERRED TO JUDICIARY, APRIL 5, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in arson, criminal mischief and other
3 property destruction, further providing for the offense of
4 institutional vandalism.

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

7 Section 1. Section 3307(a) and (b) of Title 18 of the
8 Pennsylvania Consolidated Statutes are amended and the section
9 is amended by adding a subsection to read:

10 § 3307. Institutional vandalism.

11 (a) Offenses defined.--A person commits the offense of
12 institutional vandalism if he knowingly desecrates, [as defined
13 in section 5509 (relating to desecration or sale of venerated
14 objects)] destroys, vandalizes, defaces or otherwise damages:

15 (1) any church, synagogue [or], mosque or any other
16 facility or place used for religious worship or other
17 religious purposes;

18 (2) any cemetery, mortuary or other facility used for

1 the purpose of burial or memorializing the dead;

2 (3) any school, educational facility, community center,
3 municipal building, courthouse facility, State or local
4 government building or vehicle or juvenile detention center;

5 (4) the grounds adjacent to and owned or occupied by any
6 facility set forth in paragraph (1), (2) or (3); or

7 (5) any personal property located in any facility set
8 forth in this subsection.

9 * * *

10 (b) Grading.--An offense under this section [is a felony of
11 the third degree if the act is one of desecration as defined in
12 section 5509 or if the actor causes pecuniary loss in excess of
13 \$5,000. Pecuniary loss includes the cost of repair or
14 replacement of the property affected. Otherwise, institutional
15 vandalism is a misdemeanor of the second degree.] shall be
16 graded as follows:

17 (1) A felony of the first degree if death results from
18 the act committed in violation of this section or an attempt
19 to kill.

20 (2) A felony of the second degree if bodily injury to a
21 person, including a public safety officer performing duties
22 as a direct or proximate result of conduct prohibited by this
23 section, results from the act committed in violation of this
24 section or if the act includes the use, attempted use or
25 threatened use of an instrument of crime, explosives or fire.

26 (3) A felony of the third degree if:

27 (i) bodily injury to a person, including a public
28 safety officer performing duties as a direct or proximate
29 result of conduct prohibited by this section, results
30 from the act committed in violation of this section;

1 (ii) the act is one of desecration; or
2 (iii) the actor causes pecuniary loss, which
3 includes the cost of repair or replacement of the
4 property affected, in excess of \$2,000.

5 (4) A misdemeanor of the first degree for all other
6 violations of this section.

7 (c) Definitions.--As used in this section, the following
8 words and phrases shall have the meanings given to them in this
9 subsection unless the context clearly indicates otherwise:

10 "Desecrate." As defined in section 5509(b) (relating to
11 desecration, theft or sale of venerated objects).

12 "Desecration." As the term "desecrate" is defined in section
13 5509(b).

14 "Instrument of crime." As defined in section 907 (relating
15 to possessing instruments of crime).

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