

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 177 Session of 2013

INTRODUCED BY B. BOYLE, K. BOYLE, RAVENSTAHL, D. COSTA, FLECK, DAVIS, BROWNLEE, V. BROWN, KORTZ, O'BRIEN, SCHLOSSBERG, BISHOP, CONKLIN, STURLA, FRANKEL, SANTARSIERO, DONATUCCI, COHEN, CARROLL, THOMAS, ROZZI, MURT, KINSEY, YOUNGBLOOD AND PARKER, JANUARY 22, 2013

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 22, 2013

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 ethnic intimidation.

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

6 Section 1. Section 2710(a) and (c) of Title 18 of the
7 Pennsylvania Consolidated Statutes, amended by the act of
8 December 3, 2002 (P.L.1176, No.143), declared unconstitutional,
9 936 A.2d 188 (Pa. Commonwealth 2007), affirmed, No.112 MAP 2007
10 (Pa. 2008), are amended to read:

11 § 2710. Ethnic intimidation.

12 (a) Offense defined.--A person commits the offense of ethnic
13 intimidation if, with malicious intention toward the actual or
14 perceived race, color, religion [or], national origin, ancestry,
15 mental or physical disability, sexual orientation, gender or
16 gender identity of another individual or group of individuals,
17 he commits an offense under any other provision of this article

1 or under Chapter 33 (relating to arson, criminal mischief and
2 other property destruction) exclusive of section 3307 (relating
3 to institutional vandalism) or under section 3503 (relating to
4 criminal trespass) with respect to such individual or his or her
5 property or with respect to one or more members of such group or
6 to their property.

7 * * *

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

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