
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 410 Session of
2017

INTRODUCED BY RAFFERTY, BAKER, LANGERHOLC, YAW, BARTOLOTTA,
BREWSTER, SABATINA, MCGARRIGLE, SCAVELLO, VULAKOVICH,
YUDICHAK, STREET, ALLOWAY, BLAKE, FOLMER, RESCHENTHALER,
WHITE, WARD, TOMLINSON, STEFANO AND BROWNE, FEBRUARY 27, 2017

REFERRED TO JUDICIARY, FEBRUARY 27, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in assault, providing for the offense
3 of hate crimes against law enforcement officers and first
4 responders.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 2710.1. Hate crimes against law enforcement officers and
10 first responders.

11 (a) Offense defined.--A person commits the offense of a hate
12 crime against a law enforcement officer or a first responder if,
13 with malicious intent because of the actual or perceived
14 employment as a law enforcement officer or first responder, the
15 person commits an offense under any of the following with
16 respect to the individual, the individual's property, one or
17 more members of the group or the group's property:

18 (1) Any other provision of this article.

1 (2) Chapter 33 (relating to arson, criminal mischief and
2 other property destruction), except for section 3307
3 (relating to institutional vandalism).

4 (3) Section 3503 (relating to criminal trespass).

5 (b) Grading.--An offense under this section shall be
6 classified as a misdemeanor of the third degree if the other
7 offense is classified as a summary offense. If the other offense
8 is not classified as a summary offense, an offense under this
9 section shall be classified one degree higher in the
10 classification specified under section 106 (relating to classes
11 of offenses) than the classification of the other offense.

12 (c) Sentencing enhancement.--The Pennsylvania Commission on
13 Sentencing, in accordance with 42 Pa.C.S. § 2154 (relating to
14 adoption of guidelines for sentencing), shall provide for a
15 sentencing enhancement for courts to consider in cases involving
16 hate crimes against law enforcement officers or first
17 responders.

18 (d) Definitions.--As used in this section, the following
19 words and phrases shall have the meanings given to them in this
20 subsection:

21 "First responder." A firefighter or emergency medical
22 services personnel.

23 "Law enforcement officer." The term shall have the same
24 meaning as the term "peace officer" is given under section 501
25 (relating to definitions).

26 "Malicious intent." The intent to commit an act, the
27 commission of which is a necessary element of an offense
28 referred to under subsection (a), motivated by hatred toward the
29 actual or perceived employment as a law enforcement officer or
30 first responder.

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