

House Judiciary Committee Voting Meeting
Majority Caucus Room
Room 140 Main Capitol
Harrisburg, PA 17120
March 10, 2026
10:00 AM

PLEASE NOTE: THREE AMENDMENTS HAVE BEEN ADDED TO THE AGENDA; THE CORRESPONDING MATERIALS HAVE BEEN UPLOADED

Agenda

House Bill 300 (KENYATTA) An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for the title of the act, for findings and declaration of policy, for right to freedom from discrimination in employment, housing and public accommodation, for definitions, for unlawful discriminatory practices and for prohibition of certain real estate practices; providing for protection of religious exercise; and further providing for powers and duties of the commission and for construction and exclusiveness of remedy.

House Bill 632 (WAXMAN) An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in public indecency, further providing for the offense of prostitution and related offenses.

House Bill 1311 (SANCHEZ) An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in general provisions relating to offenses involving danger to the person, further providing for definitions.

A02585 (BRIGGS)

House Bill 1315 (SANCHEZ) An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, in judicial change of name, further providing for court approval required for change of name.

House Bill 1800 (KENYATTA) An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in preliminary provisions relating to marriage, further providing for definitions; and, in miscellaneous provisions relating to marriage, repealing provisions relating to marriage between persons of the same sex.

House Bill 1902 (FRANKEL) An Act amending Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of ethnic intimidation; in particular rights and immunities, further providing for civil rights violations; and, in employees, further providing for definitions and providing for annual officer training on hate-based intimidation.

A02582 (BRIGGS)

House Bill 1905 (FRANKEL) An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of ethnic intimidation; and, in particular rights and immunities, further prohibiting civil rights violations.

A02583 (BRIGGS)

House Resolution 393 (WAXMAN) A Resolution designating February 28, 2026, as "HIV is Not a Crime Awareness Day" in Pennsylvania.

And any other business that comes before the Committee

Adjournment

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. Thank you.

Attachments:

- Sunshine Memo
- HB300
- HB300 BA
- HB632
- HB632 BA
- HB1311
- A02585 to HB1311
- HB1311 BA
- HB1315
- HB1315 BA
- HB1800
- HB1800 BA
- HB1902
- A02582 to HB1902
- HB1902 BA
- HB1905
- A02583 to HB1905
- HB1905 BA
- HR393
- HR393 BA

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

March 4, 2026

COMMITTEES

JUDICIARY, *CHAIRMAN*

CAUCUSES

LIFE SCIENCE, *CHAIR*
BRAIN INJURY, *CHAIR*

PENNSYLVANIA STATE SYSTEM OF HIGHER
EDUCATION (PASSHE), *BOARD OF GOVERNORS*
PENNSYLVANIA COMMISSION ON CRIME &
DELINQUENCY (PCCD), *COMMISSIONER*

TO: House Judiciary Committee Members
FROM: Tim Briggs, Majority Chairman
RE: **Voting Meeting**

A handwritten signature in blue ink that reads "Tim Briggs".

The House Judiciary Committee will hold a **voting meeting** on **Tuesday, March 10, 2026, at 10:00 a.m. in 140 Main Capitol Building**. The Committee is scheduled to consider the following:

House Bill 300 (Kenyatta) Amends the PA Human Relations Act, further providing for the title of the act, for findings and declaration of policy, for right to freedom from discrimination in employment, housing and public accommodation, for definitions, for unlawful discriminatory practices and for prohibition of certain real estate practices; providing for protection of religious exercise; and further providing for powers and duties of the commission and for construction and exclusiveness of remedy.

House Bill 632 (Waxman) Amends Title 18 (Crimes) in public indecency, further providing for the offense of prostitution and related offenses.

House Bill 1311 (Sanchez) Amends Title 18 (Crimes) in general provisions relating to offenses involving danger to the person, further providing for definitions.

House Bill 1315 (Sanchez) Amends Title 54 (Names) in judicial change of name, further providing for court approval required for change of name.

House Bill 1800 (Kenyatta) Amends Title 23 (Domestic Relations) in preliminary provisions relating to marriage, further providing for definitions; and, in miscellaneous provisions relating to marriage, repealing provisions relating to marriage between persons of the same sex.

House Bill 1902 (Frankel) Amends Titles 18 (Crimes), 42 (Judiciary) and 53 (Municipalities) in assault, further providing for the offense of ethnic intimidation; in particular rights and immunities, providing for civil rights violations; and providing for definitions and providing for annual officer training on hate-based intimidation.

House Bill 1905 (Frankel) Amends Titles 18 (Crimes) and 42 (Judiciary) in assault, further providing for the offense of ethnic intimidation; and, in particular rights and immunities, further prohibiting civil rights violations.

House Resolution 393 (Waxman) Resolution designating February 28, 2026, as "HIV is Not a Crime Awareness Day" in Pennsylvania.

And any other business that comes before the committee.

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. Thank you!

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 300 Session of 2025

INTRODUCED BY KENYATTA, BENHAM, FRANKEL, SMITH-WADE-EL, MAYES, SCOTT, SALISBURY, CARROLL, FIEDLER, RABB, WAXMAN, KINKEAD, SAMUELSON, BRENNAN, HANBIDGE, HILL-EVANS, FREEMAN, VENKAT, PROBST, PIELLI, SCHLOSSBERG, CEPEDA-FREYTIZ, BOROWSKI, KHAN, RIVERA, WEBSTER, MCNEILL, INGLIS, MALAGARI, SANCHEZ, POWELL, OTTEN, KRAJEWSKI, T. DAVIS, BURGOS, SHUSTERMAN, FLEMING, SCHWEYER, O'MARA, HOHENSTEIN, HOWARD AND STEELE, JUNE 2, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 2, 2025

AN ACT

1 Amending the act of October 27, 1955 (P.L.744, No.222), entitled
 2 "An act prohibiting certain practices of discrimination
 3 because of race, color, religious creed, ancestry, age or
 4 national origin by employers, employment agencies, labor
 5 organizations and others as herein defined; creating the
 6 Pennsylvania Human Relations Commission in the Governor's
 7 Office; defining its functions, powers and duties; providing
 8 for procedure and enforcement; providing for formulation of
 9 an educational program to prevent prejudice; providing for
 10 judicial review and enforcement and imposing penalties,"
 11 further providing for the title of the act, for findings and
 12 declaration of policy, for right to freedom from
 13 discrimination in employment, housing and public
 14 accommodation, for definitions, for unlawful discriminatory
 15 practices and for prohibition of certain real estate
 16 practices; providing for protection of religious exercise;
 17 and further providing for powers and duties of the commission
 18 and for construction and exclusiveness of remedy.

19 The General Assembly of the Commonwealth of Pennsylvania
 20 hereby enacts as follows:

21 Section 1. The title and sections 2 and 3 of the act of
 22 October 27, 1955 (P.L.744, No.222), known as the Pennsylvania
 23 Human Relations Act, are amended to read:

AN ACT

Prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, sex, sexual orientation, gender identity or expression, age or national origin by employers, employment agencies, labor organizations and others as herein defined; creating the Pennsylvania Human Relations Commission in the Governor's Office; defining its functions, powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement and imposing penalties.

Section 2. Findings and Declaration of Policy.--

(a) The practice or policy of discrimination against individuals or groups by reason of their race, color, familial status, religious creed, ancestry, age, sex, sexual orientation, gender identity or expression, national origin, handicap or disability, use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals is a matter of concern of the Commonwealth. Such discrimination foments domestic strife and unrest, threatens the rights and privileges of the inhabitants of the Commonwealth, and undermines the foundations of a free democratic state. The denial of equal employment, housing and public accommodation opportunities because of such discrimination, and the consequent failure to utilize the productive capacities of individuals to their fullest extent, deprives large segments of the population of the Commonwealth of earnings necessary to maintain decent standards of living, necessitates their resort to public relief and intensifies group conflicts, thereby resulting in grave

1 injury to the public health and welfare, compels many
2 individuals to live in dwellings which are substandard,
3 unhealthful and overcrowded, resulting in racial segregation in
4 public schools and other community facilities, juvenile
5 delinquency and other evils, thereby threatening the peace,
6 health, safety and general welfare of the Commonwealth and its
7 inhabitants. Public policies, reflecting an open and welcoming
8 environment and ensuring equal opportunity, foster economic
9 growth and prosperity which benefit the inhabitants of this
10 Commonwealth. Conversely, the absence of nondiscrimination
11 protections hinders efforts to recruit and retain the diversity
12 of talented individuals and successful enterprises required for
13 a thriving economy and strong public sector on which the
14 inhabitants of this Commonwealth depend.

15 (b) It is hereby declared to be the public policy of this
16 Commonwealth to foster the employment of all individuals in
17 accordance with their fullest capacities regardless of their
18 race, color, religious creed, ancestry, age, sex, sexual
19 orientation, gender identity or expression, national origin,
20 handicap or disability, use of guide or support animals because
21 of the blindness, deafness or physical handicap of the user or
22 because the user is a handler or trainer of support or guide
23 animals, and to safeguard their right to obtain and hold
24 employment without such discrimination, to assure equal
25 opportunities to all individuals and to safeguard their rights
26 to public accommodation and to secure housing accommodation and
27 commercial property regardless of race, color, familial status,
28 religious creed, ancestry, age, sex, sexual orientation, gender
29 identity or expression, national origin, handicap or disability,
30 use of guide or support animals because of blindness or deafness

1 of the user or because the user is a handler or trainer of guide
2 or support animals.

3 (c) This act shall be deemed an exercise of the police power
4 of the Commonwealth for the protection of the public welfare,
5 prosperity, health and peace of the people of the Commonwealth
6 of Pennsylvania.

7 Section 3. Right to Freedom from Discrimination in
8 Employment, Housing and Public Accommodation.--The opportunity
9 for an individual to obtain employment for which he is
10 qualified, and to obtain all the accommodations, advantages,
11 facilities and privileges of any public accommodation and of any
12 housing accommodation and commercial property without
13 discrimination because of race, color, familial status,
14 religious creed, ancestry, handicap or disability, age, sex,
15 sexual orientation, gender identity or expression, national
16 origin, the use of a guide or support animal because of the
17 blindness, deafness or physical handicap of the user or because
18 the user is a handler or trainer of support or guide animals is
19 hereby recognized as and declared to be a civil right which
20 shall be enforceable as set forth in this act.

21 Section 2. Section 4(b) of the act is amended and the
22 section is amended by adding subsections to read:

23 Section 4. Definitions.--As used in this act unless a
24 different meaning clearly appears from the context:

25 * * *

26 (b) The term "employer" includes the Commonwealth or any
27 political subdivision or board, department, commission or school
28 district thereof and any person employing four or more persons
29 within the Commonwealth, but except as hereinafter provided,
30 does not include religious, fraternal, charitable or sectarian

corporations or associations, except such corporations or associations supported, in whole or in part, by governmental appropriations. The term "employer" with respect to discriminatory practices based on race, color, age, sex, sexual orientation, gender identity or expression, national origin or non-job related handicap or disability, includes religious, fraternal, charitable and sectarian corporations and associations employing four or more persons within the Commonwealth.

* * *

(bb) The term "sexual orientation" means an individual's physical, romantic or emotional attraction to individuals of the same or different gender.

(cc) The term "gender identity or expression" means an individual's gender-related identity, appearance, mannerisms, expression or other gender-related characteristics, regardless of the individual's designated or perceived sex.

(dd) The term "booking agent" means the same as the term "booking agent" under section 209(a)(1.2) of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."

Section 3. Sections 5(a), (b), (c), (f), (g), (h) and (i) and 5.3 of the act are amended to read:

Section 5. Unlawful Discriminatory Practices.--It shall be an unlawful discriminatory practice, unless based upon a bona fide occupational qualification, or in the case of a fraternal corporation or association, unless based upon membership in such association or corporation, or except where based upon applicable security regulations established by the United States or the Commonwealth of Pennsylvania:

(a) For any employer because of the actual or perceived

1 race, color, religious creed, ancestry, age, sex, sexual
2 orientation, gender identity or expression, national origin or
3 non-job related handicap or disability or the use of a guide or
4 support animal because of the blindness, deafness or physical
5 handicap of any individual or independent contractor, to refuse
6 to hire or employ or contract with, or to bar or to discharge
7 from employment such individual or independent contractor, or to
8 otherwise discriminate against such individual or independent
9 contractor with respect to compensation, hire, tenure, terms,
10 conditions or privileges of employment or contract, if the
11 individual or independent contractor is the best able and most
12 competent to perform the services required. The [provision]
13 provisions of this paragraph shall not apply, to (1) operation
14 of the terms or conditions of any bona fide retirement or
15 pension plan which have the effect of a minimum service
16 requirement, (2) operation of the terms or conditions of any
17 bona fide group or employee insurance plan, (3) age limitations
18 placed upon entry into bona fide apprenticeship programs of two
19 years or more approved by the State Apprenticeship and Training
20 Council of the Department of Labor and Industry, established by
21 the act of July 14, 1961 (P.L.604, No.304), known as "The
22 Apprenticeship and Training Act." Notwithstanding any provision
23 of this clause, it shall not be an unlawful employment practice
24 for a religious corporation or association to hire or employ on
25 the basis of sex in those certain instances where sex is a bona
26 fide occupational qualification because of the religious
27 beliefs, practices, or observances of the corporation, or
28 association. It is not an unlawful discriminatory practice based
29 on the actual or perceived race, color, religious creed,
30 ancestry, age, sexual orientation, gender identity or expression

1 or national origin under this act to fail or refuse to construct
2 new or additional facilities.

3 (b) For any employer, employment agency or labor
4 organization, prior to the employment, contracting with an
5 independent contractor or admission to membership, to:

6 (1) Elicit any information or make or keep a record of or
7 use any form of application or application blank containing
8 questions or entries concerning the race, color, religious
9 creed, ancestry, age, sex, sexual orientation, gender identity
10 or expression, national origin, past handicap or disability or
11 the use of a guide or support animal because of the blindness,
12 deafness or physical handicap of any applicant for employment or
13 membership. Prior to an offer of employment, an employer may not
14 inquire as to whether an individual has a handicap or disability
15 or as to the severity of such handicap or disability. An
16 employer may inquire as to the individual's ability to perform
17 the essential functions of the employment.

18 (2) Print or publish or cause to be printed or published any
19 notice or advertisement relating to employment or membership
20 indicating any preference, limitation, specification or
21 discrimination based upon race, color, religious creed,
22 ancestry, age, sex, sexual orientation, gender identity or
23 expression, national origin, non-job related handicap or
24 disability or the use of a guide or support animal because of
25 the blindness, deafness or physical handicap of the user.

26 (3) Deny or limit, through a quota system, employment or
27 membership because of the actual or perceived race, color,
28 religious creed, ancestry, age, sex, sexual orientation, gender
29 identity or expression, national origin, non-job related
30 handicap or disability, the use of a guide or support animal

1 because of the blindness, deafness or physical handicap of the
2 user or place of birth.

3 (4) Substantially confine or limit recruitment or hiring of
4 individuals, with intent to circumvent the spirit and purpose of
5 this act, to any employment agency, employment service, labor
6 organization, training school or training center or any other
7 employe-referring source which services individuals who are
8 predominantly of the same race, color, religious creed,
9 ancestry, age, sex, sexual orientation, gender identity or
10 expression, national origin or non-job related handicap or
11 disability.

12 (5) Deny employment because of a prior handicap or
13 disability.

14 Nothing in clause (b) of this section shall bar any
15 institution or organization for handicapped or disabled persons
16 from limiting or giving preference in employment or membership
17 to handicapped or disabled persons.

18 (c) For any labor organization because of the actual or
19 perceived race, color, religious creed, ancestry, age, sex,
20 sexual orientation, gender identity or expression, national
21 origin, non-job related handicap or disability or the use of a
22 guide or support animal because of the blindness, deafness or
23 physical handicap of any individual to deny full and equal
24 membership rights to any individual or otherwise to discriminate
25 against such individuals with respect to hire, tenure, terms,
26 conditions or privileges of employment or any other matter,
27 directly or indirectly, related to employment.

28 * * *

29 (f) For any employment agency to fail or refuse to classify
30 properly, refer for employment or otherwise to discriminate

1 against any individual because of [his] the actual or perceived
2 race, color, religious creed, ancestry, age, sex, sexual
3 orientation, gender identity or expression, national origin,
4 non-job related handicap or disability or the use of a guide or
5 support animal because of the blindness, deafness or physical
6 handicap of the user.

7 (g) For any individual seeking employment to publish or
8 cause to be published any advertisement which in any manner
9 expresses a limitation or preference as to the race, color,
10 religious creed, ancestry, age, sex, sexual orientation, gender
11 identity or expression, national origin, non-job related
12 handicap or disability or the use of a guide or support animal
13 because of the blindness, deafness or physical handicap of any
14 prospective employer.

15 (h) For any person to:

16 (1) Refuse to sell, lease, finance or otherwise to deny or
17 withhold any housing accommodation or commercial property from
18 any person because of the actual or perceived race, color,
19 familial status, age, religious creed, ancestry, sex, sexual
20 orientation, gender identity or expression, national origin or
21 handicap or disability of any person, prospective owner,
22 occupant or user of such housing accommodation or commercial
23 property, or to refuse to lease any housing accommodation or
24 commercial property to any person due to use of a guide animal
25 because of the blindness or deafness of the user, use of a
26 support animal because of a physical handicap of the user or
27 because the user is a handler or trainer of support or guide
28 animals or because of the handicap or disability of an
29 individual with whom the person is known to have a relationship
30 or association.

1 (1.1) Evict or attempt to evict an occupant of any housing
2 accommodation before the end of the term of a lease because of
3 pregnancy or the birth of a child.

4 (2) Refuse to lend money, whether or not secured by mortgage
5 or otherwise for the acquisition, construction, rehabilitation,
6 repair or maintenance of any housing accommodation or commercial
7 property or otherwise withhold financing of any housing
8 accommodation or commercial property from any person because of
9 the actual or perceived race, color, familial status, age,
10 religious creed, ancestry, sex, sexual orientation, gender
11 identity or expression, national origin, handicap or disability
12 of any person, the use of a guide or support animal because of
13 the blindness, deafness or physical handicap of the user or
14 because the user is a handler or trainer of support or guide
15 animals or because of the handicap or disability of an
16 individual with whom the person is known to have a relationship
17 or association.

18 (3) Discriminate against any person in the terms or
19 conditions of selling or leasing any housing accommodation or
20 commercial property or in furnishing facilities, services or
21 privileges in connection with the ownership, occupancy or use of
22 any housing accommodation or commercial property because of the
23 actual or perceived race, color, familial status, age, religious
24 creed, ancestry, sex, sexual orientation, gender identity or
25 expression, national origin, handicap or disability of any
26 person, the use of a guide or support animal because of the
27 blindness, deafness or physical handicap of the user or because
28 the user is a handler or trainer of support or guide animals or
29 because of the handicap or disability of an individual with whom
30 the person is known to have a relationship or association.

1 (3.1) Refuse to permit, at the expense of a person with a
2 handicap, reasonable modifications of existing premises occupied
3 or to be occupied by such person if such modifications may be
4 necessary to afford such person full enjoyment of the premises,
5 except that, in the case of a rental, the landlord may, where it
6 is reasonable to do so, grant permission for a modification if
7 the renter agrees to restore the interior of the premises to the
8 condition that existed before the modification, with reasonable
9 wear and tear excepted.

10 (3.2) Refuse to make reasonable accommodations in rules,
11 policies, practices or services when such accommodations may be
12 necessary to afford such person equal opportunity to use and
13 enjoy a housing accommodation.

14 (4) Discriminate against any person in the terms or
15 conditions of any loan of money, whether or not secured by
16 mortgage or otherwise for the acquisition, construction,
17 rehabilitation, repair or maintenance of housing accommodation
18 or commercial property because of the actual or perceived race,
19 color, familial status, age, religious creed, ancestry, sex,
20 sexual orientation, gender identity or expression, national
21 origin or handicap or disability of any person, the use of a
22 guide or support animal because of the blindness, deafness or
23 physical handicap of the user or because the user is a handler
24 or trainer of guide or support animals or because of the
25 handicap or disability of an individual with whom the person is
26 known to have a relationship or association.

27 (5) Print, publish or circulate any statement or
28 advertisement: (i) relating to the sale, lease or acquisition of
29 any housing accommodation or commercial property or the loan of
30 money, whether or not secured by mortgage, or otherwise for the

1 acquisition, construction, rehabilitation, repair or maintenance
2 of any housing accommodation or commercial property which
3 indicates any preference, limitation, specification, or
4 discrimination based upon race, color, familial status, age,
5 religious creed, ancestry, sex, sexual orientation, gender
6 identity or expression, national origin, handicap or disability
7 or because of the handicap or disability of an individual with
8 whom the person is known to have a relationship or association,
9 or (ii) relating to the sale, lease or acquisition of any
10 housing accommodation or commercial property which indicates any
11 preference, limitation, specification or discrimination based
12 upon use of a guide or support animal because of the blindness,
13 deafness or physical handicap of the user or because the user is
14 a handler or trainer of support or guide animals.

15 (6) Make any inquiry, elicit any information, make or keep
16 any record or use any form of application, containing questions
17 or entries concerning race, color, familial status, age,
18 religious creed, ancestry, sex, sexual orientation, gender
19 identity or expression, national origin, handicap or disability
20 or because of the handicap or disability of an individual with
21 whom the person is known to have a relationship or association
22 in connection with the sale or lease of any housing
23 accommodation or commercial property or loan of any money,
24 whether or not secured by mortgage or otherwise for the
25 acquisition, construction, rehabilitation, repair or maintenance
26 of any housing accommodation or commercial property, or to make
27 any inquiry, elicit any information, make or keep any record or
28 use any form of application, containing questions or entries
29 concerning the use of a guide or support animal because of the
30 blindness, deafness or physical handicap of the user or because

1 the user is a handler or trainer of support or guide animals, in
2 connection with the lease of any housing accommodation or
3 commercial property.

4 (7) Construct, operate, offer for sale, lease or rent or
5 otherwise make available housing or commercial property which is
6 not accessible.

7 (8) Discriminate in real estate-related transactions, as
8 described by and subject to the following:

9 (i) It shall be unlawful for any person or other entity
10 whose business includes engaging in real estate-related
11 transactions to discriminate against any person in making
12 available such a transaction or in the terms or conditions of
13 such a transaction because of the actual or perceived race,
14 color, religious creed, ancestry, national origin, sex, sexual
15 orientation, gender identity or expression, age, handicap or
16 disability, use of a guide or support animal because of a
17 physical handicap or because the user is a handler or trainer of
18 guide or support animals or familial status.

19 (ii) Nothing in this act prohibits a person engaged in the
20 business of furnishing appraisals of real property to take into
21 consideration factors other than race, color, religious creed,
22 ancestry, national origin, sex, sexual orientation, gender
23 identity or expression, age, handicap or disability, use of a
24 guide or support animal because of a physical handicap or
25 because the user is a handler or trainer of guide or support
26 animals or familial status.

27 (9) Nothing in this clause, regarding age or familial
28 status, shall apply with respect to housing for older persons. A
29 person shall not be held personally liable for monetary damages
30 for a violation of this act if the person reasonably relied, in

1 good faith, on the application of the exemption of this
2 subclause. A person may only prove good faith reliance on the
3 application of the exemption of this subclause by proving that
4 at the time of the act complained of all of the following
5 applied:

6 (i) The person had no actual knowledge that the housing was
7 not eligible for exemption under this subclause.

8 (ii) The owner or manager of the housing had stated
9 formally, in writing, that the housing complied with the
10 requirements for exemption under this subclause.

11 (10) Nothing in this clause shall bar any religious or
12 denominational institution or organization or any charitable or
13 educational organization which is operated, supervised or
14 controlled by or in connection with a religious organization or
15 any bona fide private or fraternal organization from giving
16 preference to persons of the same religion or denomination or to
17 members of such private or fraternal organization or from making
18 such selection as is calculated by such organization to promote
19 the religious principles or the aims, purposes or fraternal
20 principles for which it is established or maintained. [Nor shall
21 it apply to the rental of rooms in a landlord-occupied rooming
22 house with a common entrance, nor with respect to discrimination
23 based on sex, the advertising, rental or leasing of housing
24 accommodations in a single-sex dormitory or rooms in one's
25 personal residence in which common living areas are shared.]

26 (10.1) Except for rentals arranged through a booking agent,
27 nothing in this clause shall apply to the rental of rooms in a
28 personal residence in which common living areas are shared or a
29 landlord-occupied rooming house with a common entrance.

30 (10.2) Nothing in this clause shall apply to, with respect

1 to discrimination based on sex, the advertising, rental or
2 leasing of housing accommodations in a single-sex dormitory or
3 rooms in one's personal residence in which common living areas
4 are shared.

5 (11) Nothing in this act limits the applicability of the
6 Fair Housing Act and reasonable State or local restrictions on
7 the maximum number of occupants permitted to occupy a dwelling
8 or a reasonable restriction relating to health or safety
9 standards or business necessity. Owners and managers of
10 dwellings may develop and implement reasonable occupancy and
11 safety standards based on factors such as the number and size of
12 sleeping areas or bedrooms and the overall size of a dwelling
13 unit so long as the standards do not violate the Fair Housing
14 Act or State or local restrictions.

15 (i) For any person being the owner, lessee, proprietor,
16 manager, superintendent, agent or employee of any public
17 accommodation, resort or amusement to:

18 (1) Refuse, withhold from, or deny to any person because of
19 [his] the actual or perceived race, color, sex, sexual
20 orientation, gender identity or expression, religious creed,
21 ancestry, national origin or handicap or disability, or to any
22 person due to use of a guide or support animal because of the
23 blindness, deafness or physical handicap of the user or because
24 the user is a handler or trainer of support or guide animals,
25 either directly or indirectly, any of the accommodations,
26 advantages, facilities or privileges of such public
27 accommodation, resort or amusement.

28 (2) Publish, circulate, issue, display, post or mail, either
29 directly or indirectly, any written or printed communication,
30 notice or advertisement to the effect that any of the

1 accommodations, advantages, facilities and privileges of any
2 such place shall be refused, withheld from or denied to any
3 person on account of race, color, religious creed, sex, sexual
4 orientation, gender identity or expression, ancestry, national
5 origin or handicap or disability, or to any person due to use of
6 a guide or support animal because of the blindness, deafness or
7 physical handicap of the user, or because the user is a handler
8 or trainer of support or guide animals, or that the patronage or
9 custom thereat of any person[, belonging to or purporting to be
10 of any particular] because of race, color, religious creed, sex,
11 sexual orientation, gender identity or expression, ancestry,
12 national origin or handicap or disability, or to any person due
13 to use of a guide or support animal because of the blindness,
14 deafness or physical handicap of the user or because the user is
15 a handler or trainer of support or guide animals, is unwelcome,
16 objectionable or not acceptable, desired or solicited.

17 (3) Exclude or otherwise deny equal goods, services,
18 facilities, privileges, advantages, accommodations or other
19 opportunities to a person because of the handicap or disability
20 of an individual with whom the person is known to have a
21 relationship or association.

22 (4) Construct, operate or otherwise make available such
23 place of public accommodation, resort or amusement which is not
24 accessible.

25 * * *

26 Section 5.3. Prohibition of Certain Real Estate Practices.--
27 It shall be an unlawful discriminatory practice for any person
28 to:

29 (a) Induce, solicit or attempt to induce or solicit for
30 commercial profit any listing, sale or transaction involving any

1 housing accommodation or commercial property by representing
2 that such housing accommodation or commercial property is within
3 any neighborhood, community or area adjacent to any other area
4 in which there reside, or do not reside, persons of a particular
5 race, color, familial status, age, religious creed, ancestry,
6 sex, sexual orientation, gender identity or expression, national
7 origin, handicap or disability, or who are guide or support
8 animal dependent.

9 (b) Discourage, or attempt to discourage, for commercial
10 profit, the purchase or lease of any housing accommodation or
11 commercial property by representing that such housing
12 accommodation or commercial property is within any neighborhood,
13 community or area adjacent to any other area in which there
14 reside, or may in the future reside in increased or decreased
15 numbers, persons of a particular race, color, familial status,
16 age, religious creed, ancestry, sex, sexual orientation, gender
17 identity or expression, national origin, handicap or disability,
18 or who are guide or support animal dependent.

19 (c) Misrepresent, create or distort a circumstance,
20 condition or incident for the purpose of fostering the
21 impression or belief, on the part of any owner, occupant or
22 prospective owner or occupant of any housing accommodation or
23 commercial property, that such housing accommodation or
24 commercial property is within any neighborhood, community or
25 area adjacent to any other area which would be adversely
26 impacted by the residence, or future increased or decreased
27 residence, of persons of a particular race, color, familial
28 status, age, religious creed, ancestry, sex, sexual orientation,
29 gender identity or expression, national origin, handicap or
30 disability, or who are guide or support animal dependent within

1 such neighborhood, community or area.

2 (d) In any way misrepresent or otherwise misadvertise within
3 a neighborhood or community, whether or not in writing, that any
4 housing accommodation or commercial property within such
5 neighborhood or community is available for inspection, sale,
6 lease, sublease or other transfer, in any context where such
7 misrepresentation or misadvertising would have the effect of
8 fostering an impression or belief that there has been or will be
9 an increase in real estate activity within such neighborhood or
10 community due to the residence, or anticipated increased or
11 decreased residence, of persons of a particular race, color,
12 familial status, age, religious creed, ancestry, sex, sexual
13 orientation, gender identity or expression, national origin,
14 handicap or disability, or the use of a guide or support animal
15 because of the blindness, deafness or physical handicap of the
16 user.

17 Section 4. The act is amended by adding a section to read:

18 Section 5.4. Protection of Religious Exercise.--(a) Nothing
19 contained in this act, or in any ordinance, charter, law or
20 regulation that is or has been adopted by any political
21 subdivision in this Commonwealth in accordance with this act,
22 shall be interpreted to require an individual or religious
23 entity to engage in conduct that constitutes a substantial
24 burden on the free exercise of religion without a compelling
25 interest and through the least restrictive means of furthering
26 the compelling interest consistent with the provisions of the
27 act of December 9, 2002 (P.L.1701, No.214), known as the
28 "Religious Freedom Protection Act."

29 (b) As used in this section, the term "religious entity"
30 means a church, association of churches or other religious

1 order, body or institution which qualifies for exemption from
2 taxation under 26 U.S.C. § 501(c)(3) or (d) (relating to
3 exemption from tax on corporations, certain trusts, etc.).

4 Section 5. Section 7(i), (j) and (k) of the act are amended
5 to read:

6 Section 7. Powers and Duties of the Commission.--The
7 Commission shall have the following powers and duties:

8 * * *

9 (i) To create such advisory agencies and conciliation
10 councils, local or state-wide, as will aid in effectuating the
11 purposes of this act. The Commission may itself or it may
12 empower these agencies and councils to (1) study the problems of
13 discrimination in all or specific fields of human relationships
14 when based on the actual or perceived race, color, familial
15 status, religious creed, ancestry, age, sex, sexual orientation,
16 gender identity or expression, national origin or handicap or
17 disability, and (2) foster, through community effort or
18 otherwise, good will among the groups and elements of the
19 population of the State. Such agencies and councils may make
20 recommendations to the Commission for the development of
21 policies and procedure in general. Advisory agencies and
22 conciliation councils created by the Commission shall be
23 composed of representative citizens, serving without pay, but
24 the Commission may make provision for technical and clerical
25 assistance to such agencies and councils, and for the payment of
26 the expenses of such assistance.

27 (j) To issue such publications and such results of
28 investigations and research as, in its judgment, will tend to
29 promote good will and minimize or eliminate discrimination
30 because of the actual or perceived race, color, familial status,

1 religious creed, ancestry, age, sex, sexual orientation, gender
2 identity or expression, national origin or handicap or
3 disability.

4 (k) To submit an annual report for each fiscal year by the
5 following March 31 to the General Assembly, the Labor and
6 Industry Committee of the Senate and the State Government
7 Committee of the House of Representatives and the Governor
8 describing in detail the types of complaints received, the
9 investigations, status of cases, Commission action which has
10 been taken, how many were found to have probable cause, how many
11 were resolved by public hearing and the length of time from the
12 initial complaint to final Commission resolution. It shall also
13 contain recommendations for such further legislation concerning
14 abuses and discrimination because of the actual or perceived
15 race, color, familial status, religious creed, ancestry,
16 national origin, age, sex, sexual orientation, gender identity
17 or expression, handicap or disability or the use of a guide or
18 support animal because of the blindness, deafness or physical
19 handicap of the user or because the user is a handler or trainer
20 of support or guide animals, as may be desirable.

21 * * *

22 Section 6. Section 12(b) of the act is amended and the
23 section is amended by adding a subsection to read:

24 Section 12. Construction and Exclusiveness of Remedy.--

25 * * *

26 (b) Except as provided in subsection (c), nothing contained
27 in this act shall be deemed to repeal or supersede any of the
28 provisions of any existing or hereafter adopted municipal
29 ordinance, municipal charter or of any law of this Commonwealth
30 relating to discrimination because of the actual or perceived

1 race, color, familial status, religious creed, ancestry, age,
2 sex, sexual orientation, gender identity or expression, national
3 origin or handicap or disability, but as to acts declared
4 unlawful by section five of this act the procedure herein
5 provided shall, when invoked, be exclusive and the final
6 determination therein shall exclude any other action, civil or
7 criminal, based on the same grievance of the complainant
8 concerned. If the complainant institutes any action based on
9 such grievance without resorting to the procedure provided in
10 this act, such complainant may not subsequently resort to the
11 procedure herein. In the event of a conflict between the
12 interpretation of a provision of this act and the interpretation
13 of a similar provision contained in any municipal ordinance, the
14 interpretation of the provision in this act shall apply to such
15 municipal ordinance.

16 * * *

17 (g) Nothing in this act shall prohibit an employer from
18 requiring an employee, during the employee's hours at work, to
19 adhere to reasonable dress or grooming standards not prohibited
20 by other provisions of Federal, State or local law, provided
21 that the employer permits an employee to adhere to the dress or
22 grooming standards that are consistent with the employee's gender
23 identity or expression.

24 Section 7. This act shall take effect in 30 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0300 PN1797	Prepared By:	Michelle Batt, Esq. (717) 705-1880,6792
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Kenyatta, Malcolm		
Date:	6/3/2025		

A. Brief Concept

Prohibits discrimination based on sex, sexual orientation, gender identity, or gender expression.

C. Analysis of the Bill

Amends the Human Relations Act to prohibit discrimination in employment, housing and public accommodations based on the person's actual or perceived sexual orientation or gender identity, or gender expression.

Exemptions:

It is not an unlawful discriminatory practice based on the actual or perceived race, color, religious creed, ancestry, age, sexual orientation, gender identity or expression or national origin under this act to fail or refuse to construct new or additional facilities.

The bill contains a "Protection of Religious Exercise" section which provides that nothing contained in this act, or in any ordinance, charter, law or regulation that is or has been adopted by any political subdivision in this Commonwealth in accordance with this act, shall be interpreted to require an individual or religious entity to engage in conduct that constitutes a substantial burden on the free exercise of religion without a compelling interest and through the least restrictive means of furthering the compelling interest consistent with the "Religious Freedom Protection Act." (Act 214 of 2002).

It also contains a provision that "except for rentals arranged through a booking agent, nothing in this clause shall apply to the rental of rooms in a personal residence in which common living areas are shared or a landlord-occupied rooming house with a common entrance." and that "nothing in this clause shall apply to, with respect to discrimination based on sex, the advertising, rental or leasing of housing accommodations in a single-sex dormitory or rooms in one's personal residence in which common living areas are shared.

Additionally, an employer is not prohibited from requiring adherence to reasonable standards during work hours.

Definitions:

"Booking agent" means the same as the term "booking agent" defined under Section 209(a) (1.2) of the Tax Reform Code of 1971, which defines "booking agent" as a person or entity which facilitates or collects payment for hotel accommodations on behalf of or for an operator. It does not include a person who merely publishes advertisements for accommodations.

"Gender identity or expression" means an individual's gender-related identity, appearance, mannerisms, expression or other gender-related characteristics, regardless of the individual's designated or perceived sex.

"Sexual orientation" means an individual's physical, romantic or emotional attraction to individuals of the same or different gender.

"Religious entity" means a church, association of churches or other religious order, body or institution which qualifies for exemption from taxation under 26 U.S.C. § 501(c)(3) of (d) of the IRS Code of 1986.

Effective Date:

30 Days.

G. Relevant Existing Laws

The Pennsylvania Human Relations Act prohibits discrimination based on a person's race, color, religious creed, ancestry, sex, age or national origin.

Bostock v. Clayton County (2020) held that Title VII of the Civil Rights Act of 1964 protects employees against discrimination because they are gay or transgender.

In 2018, the Pennsylvania Human Relations Commission issued guidance that it would be interpreting Pennsylvania's prohibition on sex discrimination in employment, education, housing, and public accommodations to encompass discrimination based on sexual orientation or transgender status.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

HB 300 of 2023 was referred to the Judiciary Committee on April 17, 2023. It was reported as amended along party lines on April 24, 2023. It went up for second consideration on April 26, 2023, at which time it was re-committed to the Appropriations Committee. It was re-reported as amended (PN 1135) along party lines on May 1, 2023. It passed on third consideration with a vote of 102-98, mostly along party lines. It was referred to Senate State Government Committee on May 3, 2023. No further movement.

HB 300 of 2021-2022 was introduced with no further action taken.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 632 Session of
2025

INTRODUCED BY WAXMAN, SANCHEZ, HILL-EVANS, HOHENSTEIN, FIEDLER,
ISAACSON, OTTEN AND GREEN, FEBRUARY 20, 2025

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 20, 2025

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in public indecency, further providing
3 for the offense of prostitution and related offenses.

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

6 Section 1. Section 5902(a.1)(4), (c) and (e.1)(4) of Title
7 18 of the Pennsylvania Consolidated Statutes are amended and the
8 section is amended by adding a subsection to read:

9 § 5902. Prostitution and related offenses.

10 * * *

11 (a.1) Grading of offenses under subsection (a).--An offense
12 under subsection (a) constitutes a:

13 * * *

14 [(4) Felony of the third degree if the person who
15 committed the offense knew that he or she was human
16 immunodeficiency virus (HIV) positive or manifesting acquired
17 immune deficiency syndrome (AIDS).]

18 * * *

1 (c) Grading of offenses under subsection (b).--

2 (1) An offense under subsection (b) constitutes a felony
3 of the third degree if:

4 (i) the offense falls within paragraphs (b)(1), (b)
5 (2) or (b)(3);

6 (ii) the actor compels another to engage in or
7 promote prostitution; or

8 (iv) the actor promotes prostitution of his spouse,
9 child, ward or any person for whose care, protection or
10 support he is responsible. ; or

11 (v) the person knowingly promoted prostitution of
12 another who was HIV positive or infected with the AIDS
13 virus.]

14 (2) Otherwise the offense is a misdemeanor of the second
15 degree.

16 * * *

17 (e.1) Grading of offenses under subsection (e).--An offense
18 under subsection (e) constitutes a:

19 * * *

20 [(4) Felony of the third degree if the person who
21 committed the offense knew that he or she was human
22 immunodeficiency virus (HIV) positive or manifesting acquired
23 immune deficiency syndrome (AIDS).]

24 * * *

25 (e.3) Resentencing.--

26 (1) Upon a petition to the court of common pleas that
27 originally entered an order of sentence, a person convicted
28 and sentenced under the former subsection (a.1)(4), (c)(1)(v)
29 or (e.1)(4) and to which the following apply may be
30 resentenced to a misdemeanor grade as provided under

1 subsection (a.1), (c) or (e.1) based on the established facts
2 as determined by the court at the time of conviction:

3 (i) The person has completed the sentence and any
4 ordered supervision.

5 (ii) The person is not currently serving a sentence
6 or under supervision on any other matter.

7 (2) Upon a petition to the court of common pleas that
8 originally entered an order of sentence, a person convicted
9 and sentenced under the former subsection (a.1)(4), (c)(1)(v)
10 or (e.1)(4) who is currently serving the imposed sentence or
11 under supervision as part of the imposed sentence shall be
12 resentenced to a misdemeanor grade as provided under
13 subsection (a.1), (c) or (e.1) based on the established facts
14 as determined by the court at the time of conviction.

15 (3) Any modification of sentence under paragraph (1) or
16 (2) shall not exceed the original sentence imposed by the
17 court.

18 * * *

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

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0632 PN0642	Prepared By:	David Vitale, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Waxman, Benjamin		
Date:	2/24/2025		

A. Brief Concept

Removes the sentencing enhancements in section 5902 (prostitution and related offenses) for individuals living with human immunodeficiency virus (HIV) or manifesting acquired immune deficiency syndrome (AIDS).

C. Analysis of the Bill

Amends title 18, § 5902 (Prostitution and related offenses) by deleting the sentencing enhancements for prostitution if the individual is living with HIV or AIDS.

The bill also includes a resentencing section to permit individuals previously sentenced of a felony to petition the original sentencing court to resentence them to the misdemeanor sentence they would have received but for the enhancement.

Upon petition by someone who is currently serving a sentence imposed under subsection (a.1)(4), (c)(1)(v) or (e.1)(4), the court must resentence the petitioner to a misdemeanor. Otherwise, in order to be resentenced, the petitioner must establish that they were convicted and sentenced under the subsection (a.1)(4), (c)(1)(v) or (e.1)(4), they completed their sentence or supervision, and they are not currently serving a sentence or under supervision on any other matter.

The modified sentence shall not exceed the original sentence.

Effective Date:

60 Days.

G. Relevant Existing Laws

Under title 18, § 5902, prostitution is typically graded as a first-, second-, or third-degree misdemeanor, however, people who are HIV positive face an enhanced penalty of a third-degree felony if they are charged with prostitution, as follows:

§ 5902. Prostitution and related offenses.

(a) Prostitution.--A person is guilty of prostitution if he or she:

(1) is an inmate of a house of prostitution or otherwise engages in sexual activity as a business; or

(2) loiters in or within view of any public place for the purpose of being hired to engage in sexual activity.

(a.1) Grading of offenses under subsection (a).--An offense under subsection (a) constitutes a:

(1) Misdemeanor of the third degree when the offense is a first or second offense.

- (2) Misdemeanor of the second degree when the offense is a third offense.
- (3) Misdemeanor of the first degree when the offense is a fourth or subsequent offense.
- (4) Felony of the third degree if the person who committed the offense knew that he or she was human immunodeficiency virus (HIV) positive or manifesting acquired immune deficiency syndrome (AIDS).

(b) Promoting prostitution.--A person who knowingly promotes prostitution of another commits a misdemeanor or felony as provided in subsection (c) of this section. The following acts shall, without limitation of the foregoing, constitute promoting prostitution:

- (1) owning, controlling, managing, supervising or otherwise keeping, alone or in association with others, a house of prostitution or a prostitution business;
- (2) procuring an inmate for a house of prostitution or a place in a house of prostitution for one who would be an inmate;
- (3) encouraging, inducing, or otherwise intentionally causing another to become or remain a prostitute;
- (4) soliciting a person to patronize a prostitute;
- (5) procuring a prostitute for a patron;
- (6) transporting a person into or within this Commonwealth with intent to promote the engaging in prostitution by that person, or procuring or paying for transportation with that intent;
- (7) leasing or otherwise permitting a place controlled by the actor, alone or in association with others, to be regularly used for prostitution or the promotion of prostitution, or failure to make reasonable effort to abate such use by ejecting the tenant, notifying law enforcement authorities, or other legally available means; or
- (8) soliciting, receiving, or agreeing to receive any benefit for doing or agreeing to do anything forbidden by this subsection.

(b.1) Promoting prostitution of minor.--A person who knowingly promotes prostitution of a minor commits a felony of the third degree. The following acts shall, without limitation of the foregoing, constitute promoting prostitution of a minor:

- (1) owning, controlling, managing, supervising or otherwise keeping, alone or in association with others, a house of prostitution or a prostitution business in which a victim is a minor;
- (2) procuring an inmate who is a minor for a house of prostitution or a place in a house of prostitution where a minor would be an inmate;
- (3) encouraging, inducing or otherwise intentionally causing a minor to become or remain a prostitute;
- (4) soliciting a minor to patronize a prostitute;
- (5) procuring a prostitute who is a minor for a patron;
- (6) transporting a minor into or within this Commonwealth with intent to promote the engaging in prostitution by that minor, or procuring or paying for transportation with that intent;

(7) leasing or otherwise permitting a place controlled by the actor, alone or in association with others, to be regularly used for prostitution of a minor or the promotion of prostitution of a minor, or failure to make reasonable effort to abate such use by ejecting the tenant, notifying law enforcement authorities or other legally available means; or

(8) soliciting, receiving or agreeing to receive any benefit for doing or agreeing to do anything forbidden by this subsection.

(c) Grading of offenses under subsection (b).--

(1) An offense under subsection (b) constitutes a felony of the third degree if:

(i) the offense falls within paragraphs (b)(1), (b)(2) or (b)(3);

(ii) the actor compels another to engage in or promote prostitution;

(iii) (Deleted by amendment);

(iv) the actor promotes prostitution of his spouse, child, ward or any person for whose care, protection or support he is responsible; or

(v) the person knowingly promoted prostitution of another who was HIV positive or infected with the AIDS virus.

(2) Otherwise the offense is a misdemeanor of the second degree.

(d) Living off prostitutes.--A person, other than the prostitute or the prostitute's minor child or other legal dependent incapable of self-support, who is knowingly supported in whole or substantial part by the proceeds of prostitution is promoting prostitution in violation of subsection (b) of this section.

(e) Patronizing prostitutes.--A person commits the offense of patronizing prostitutes if that person hires a prostitute or any other person to engage in sexual activity with him or her or if that person enters or remains in a house of prostitution for the purpose of engaging in sexual activity.

(e.1) Grading of offenses under subsection (e).--An offense under subsection (e) constitutes a:

(1) Misdemeanor of the third degree when the offense is a first or second offense.

(2) Misdemeanor of the second degree when the offense is a third offense.

(3) Misdemeanor of the first degree when the offense is a fourth or subsequent offense.

(4) Felony of the third degree if the person who committed the offense knew that he or she was human immunodeficiency virus (HIV) positive or manifesting acquired immune deficiency syndrome (AIDS).

(e.2) Publication of sentencing order.--A court imposing a sentence for a second or subsequent offense committed under subsection (e) shall publish the sentencing order in a newspaper of general circulation in the judicial district in which the court sits, and the court costs imposed on the person sentenced shall include the cost of publishing the sentencing order.

(f) Definitions.--As used in this section the following words and phrases shall have the meanings given to them in this subsection:

"House of prostitution." Any place where prostitution or promotion of prostitution is regularly carried on by one person under the control, management or supervision of another.

"Inmate." A person who engages in prostitution in or through the agency of a house of prostitution.

"Minor." An individual under 18 years of age.

"Public place." Any place to which the public or any substantial group thereof has access.

"Sexual activity." Includes sexual intercourse and deviate sexual intercourse, as those terms are defined in section 3101 (relating to definitions), and any touching on the sexual or other intimate parts of an individual for the purpose of gratifying sexual desire of either person.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

House Bill 2171 of 2024 was referred to the House Judiciary Committee on March 28, 2024. No further movement.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1311 Session of
2025

INTRODUCED BY SANCHEZ, SCHLOSSBERG, KINKEAD, WAXMAN, GUENST,
VENKAT, PIELLI, KENYATTA, KHAN, MALAGARI, GIRAL, BENHAM,
BRENNAN, HOHENSTEIN, HOWARD, SALISBURY, CIRESI, DALEY, GREEN,
MADDEN, CERRATO, CEPEDA-FREYTIZ, MAYES AND BOROWSKI,
APRIL 28, 2025

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 28, 2025

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in general provisions relating to
3 offenses involving danger to the person, further providing
4 for definitions.

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

7 Section 1. The definition of "serious provocation" in
8 section 2301 of Title 18 of the Pennsylvania Consolidated
9 Statutes is amended to read:

10 § 2301. Definitions.

11 Subject to additional definitions contained in subsequent
12 provisions of this article which are applicable to specific
13 chapters or other provisions of this article, the following
14 words and phrases, when used in this article shall have, unless
15 the context clearly indicates otherwise, the meanings given to
16 them in this section:

17 * * *

1 "Serious provocation." Conduct sufficient to excite an
2 intense passion in a reasonable person. The term does not
3 include the discovery, knowledge or potential disclosure of a
4 victim's actual or perceived gender identity or expression or
5 sexual orientation, including circumstances in which the victim
6 made an unwanted nonforcible romantic or sexual advance toward
7 the defendant or if the defendant and victim had a romantic or
8 sexual relationship.

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

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1311

Sponsor: Briggs

Printer's No. 1504

1 Amend Bill, page 2, lines 5 through 8, by striking out "the
2 victim" in line 5 and all of lines 6 through 8 and inserting
3 the defendant was romantically propositioned in a nonviolent
4 or nonthreatening manner by the victim or the defendant and
5 victim had a romantic or sexual relationship.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1311 PN1504	Prepared By:	David Vitale, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Sanchez and Schlossberg		
Date:	7/16/2025		

A. Brief Concept

Changes of the definition of "serious provocation" to prohibit the use of any LGBTQ+ panic defense.

C. Analysis of the Bill

Amends § 2301 of Title 18 by changing the definition of "serious provocation" to prohibit the panic defense.

"Serious provocation." Conduct sufficient to excite an intense passion in a reasonable person. The term does not include the discovery, knowledge or potential disclosure of a victim's actual or perceived gender identity or expression or sexual orientation, including circumstances in which the victim made an unwanted nonforcible romantic or sexual advance toward the defendant or if the defendant and victim had a romantic or sexual relationship.

Effective Date:

60 Days.

G. Relevant Existing Laws

Title 18, § 2301. Definitions.

"Serious provocation." Conduct sufficient to excite an intense passion in a reasonable person.

§ 2503. Voluntary manslaughter.

(a) General rule. A person who kills an individual without lawful justification commits voluntary manslaughter if at the time of the killing he is acting under a sudden and intense passion resulting from **serious provocation** by:

1. the individual killed; or
2. another whom the actor endeavors to kill, but he negligently or accidentally causes the death of the individual killed.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

House Bill 637 passed the House Judiciary Committee 14-11 on October 18, 2023.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1315 Session of 2025

INTRODUCED BY SANCHEZ, GUENST, HILL-EVANS, SIEGEL, WAXMAN,
HOHENSTEIN, RABB, FRANKEL, CEPEDA-FREYTIZ, KHAN, D. WILLIAMS
AND MAYES, APRIL 28, 2025

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 28, 2025

AN ACT

1 Amending Title 54 (Names) of the Pennsylvania Consolidated
2 Statutes, in judicial change of name, further providing for
3 court approval required for change of name.

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

6 Section 1. Section 701(a.1) of Title 54 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 701. Court approval required for change of name.

9 * * *

10 (a.1) Procedure.--

11 (1) An individual must file a petition in the court of
12 common pleas of the county in which the individual resides.
13 If a petitioner is married, the petitioner's spouse may join
14 as a party petitioner, in which event, upon compliance with
15 the provisions of this subsection, the spouse shall also be
16 entitled to the benefits of this subsection.

17 (2) The petition must set forth all of the following:

18 (i) The intention to change the petitioner's name.

1 (ii) The reason for the name change.

2 (iii) The current residence of petitioner.

3 (iv) Any residence of the petitioner for the five
4 years prior to the date of the petition.

5 (v) If the petitioner requests the court proceed
6 under paragraph (3)(iii) or (iv).

7 (3) Upon filing of the petition, the court shall do all
8 of the following:

9 (i) Set a date for a hearing on the petition. The
10 hearing shall be held not less than one month nor more
11 than three months after the petition is filed.

12 (ii) Except as provided in subparagraph (iii) or
13 (iv), by order, direct that notice be given of the filing
14 of the petition and of the date set for the hearing on
15 the petition and that the notice be treated as follows:

16 (A) Published in two newspapers of general
17 circulation in the county where the petitioner
18 resides or a county contiguous to that county. One of
19 the publications may be in the official paper for the
20 publication of legal notices in the county.

21 (B) Given to any nonpetitioning parent of a
22 child whose name may be affected by the proceedings.

23 (iii) If the court finds that the notice required in
24 subparagraph (ii) would jeopardize the safety of the
25 [person] individual seeking the name change or [his or
26 her] the individual's child or ward, the notice required
27 shall be waived by order of the court. Upon granting the
28 request to waive any notice requirement, the court shall
29 seal the file. In all cases filed under this [paragraph]
30 subparagraph, whether or not the name change petition is

1 granted, there shall be no public access to any court
2 record of the name change petition, proceeding or order,
3 unless the name change is granted but the file is not
4 sealed. The records shall only be opened by order of the
5 court in which the petition was granted based upon a
6 showing of good cause or at the [applicant's]
7 petitioner's request.

8 (iv) If the petition requests a name change to
9 conform to the petitioner's gender identity, the notice
10 required in subparagraph (ii) shall be waived by order of
11 the court and the court shall seal the file. In all cases
12 filed under this subparagraph, whether or not the name
13 change petition is granted, there shall be no public
14 access to any court record of the name change petition,
15 proceeding or order. The records shall only be opened by
16 order of the court in which the petition was granted
17 based upon a showing of good cause or at the petitioner's
18 request.

19 (4) At the hearing, the following apply:

20 (i) Any person having lawful objection to the change
21 of name may appear and be heard.

22 (ii) The petitioner must present to the court all of
23 the following:

24 (A) Proof of publication of the notice under
25 paragraph (3)(ii) unless petitioner requested the
26 court proceed under paragraph (3)(iii) or (iv) and
27 the court granted the request.

28 (B) An official search of the proper offices of
29 the county where petitioner resides and of any other
30 county where petitioner has resided within five years

1 prior to filing the petition showing that there are
2 no judgments, decrees of record or other similar
3 matters against the petitioner. This clause may be
4 satisfied by a certificate given by a corporation
5 authorized by law to make the search under this
6 clause.

7 (5) The court may enter a decree changing the name as
8 petitioned if the court is satisfied after the hearing that
9 there is no lawful objection to the granting of the petition.

10 * * *

11 Section 2. The amendment of 54 Pa.C.S. § 701(a.1) shall
12 apply to petitions filed after the effective date of this
13 section.

14 Section 3. This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1315 PN1508	Prepared By:	Michelle Batt, Esq. (717) 705-1880,6792
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Sanchez and Guent		
Date:	7/18/2025		

A. Brief Concept

Allows courts to seal records of name change petitioners who are requesting name change to conform to their gender identity.

C. Analysis of the Bill

Amends Title 54, § 701(a.1) (Procedure) to seal the file in cases where the petition requests a name change to conform to the petitioner's gender identity.

In all cases filed under this subparagraph, whether or not the name change petition is granted, there shall be no public access to any court record of the name change petition, proceeding or order. The records shall only be opened by order of the court in which the petition was granted based upon a showing of good cause or at the petitioner's request.

Effective Date:

60 Days.

G. Relevant Existing Laws

At present, Pennsylvania's name change statute does not require the sealing of court records unless a court first finds that the publication requirement would "jeopardize the safety" of the petitioner. 54 Pa. Cons. Stat. § 701(a.1)(3) (2004).

To be granted a legal name change in Pennsylvania, one of the many steps an applicant must take is to submit a petition to the Court of Common Pleas. The applicant must then publish a notification of their intended name change in at least two newspapers circulated in their county with the knowledge that their court records are publicly accessible online.

All individuals seeking a name change unrelated to marriage, death of a spouse, or divorce must take the following actions:

1. File a name change petition with the court outlining that person's current name, preferred name, and reason for the name change, along with a filing fee of \$150.
2. Obtain a hearing date from the court between one to three months after the petition is filed.
3. Publish notice of the hearing on the name change petition in two newspapers of general circulation. The cost of posting in a local newspaper range from around \$115 to \$200.
4. Travel to a local police barracks to provide law enforcement with a set of fingerprints through which the police can conduct a background check, which can take several weeks.
5. Conduct a judgment search in each of the counties in which they have resided for the past five years.
6. Judgment searches typically cost \$25 per county but vary procedurally depending on the location. While some localities permit applicants to request judgment searches

electronically, others require applicants to arrive to the courthouse in-person, even in circumstances in which the county is in a different part of the state or country.

7. Attend the hearing date on the name change petition, which is often in-person and set at the same time and place as general motions court in many jurisdictions. Such a practice requires name change petitioners to present their petitions in front of many persons, some of whom may pose a risk of danger to the petitioner depending on the circumstances surrounding the name change.
8. If an applicant's name change petition is ultimately approved at the court hearing, the applicant must purchase notarized copies of the court order (at \$20 per copy) so that they can update other documents, such as their social security card and bank and medical records. Several documents that need to be updated require their own fees, such as one's driver's license or state ID (\$40), passport (\$165), and birth certificate (\$20).

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

HB 610 of 2023; HB 2422 of 2021; HB 433 of 2019; HB 2718 of 2017

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1800 Session of 2025

INTRODUCED BY KENYATTA, BENHAM, FLICK, BURGOS, MAYES, BRENNAN, SCHLOSSBERG, PIELLI, OTTEN, ISAACSON, WAXMAN, VENKAT, BOROWSKI, WARREN, MADSEN, KINKEAD, McNEILL, FIEDLER, HILL-EVANS, SAPPEY, MADDEN, RABB, PROBST, DONAHUE, SMITH-WADE-EL, HOWARD, FREEMAN, SANCHEZ, HANBIDGE, HOHENSTEIN, GUENST, D. MILLER, CERRATO, MALAGARI, BOYD, CIRESI, O'MARA, SHUSTERMAN, RIVERA, KRAJEWSKI AND GREEN, AUGUST 13, 2025

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 14, 2025

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in preliminary provisions relating to
3 marriage, further providing for definitions; and, in
4 miscellaneous provisions relating to marriage, repealing
5 provisions relating to marriage between persons of the same
6 sex.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The definition of "marriage" in section 1102 of
10 Title 23 of the Pennsylvania Consolidated Statutes is amended to
11 read:

12 § 1102. Definitions.

13 The following words and phrases when used in this part shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 * * *

17 "Marriage." [A civil contract by which one man and one woman

1 take each other for husband and wife.] A civil contract between
2 two individuals.

3 * * *

4 Section 2. Section 1704 of Title 23 is repealed:

5 [§ 1704. Marriage between persons of the same sex.]

6 It is hereby declared to be the strong and longstanding
7 public policy of this Commonwealth that marriage shall be
8 between one man and one woman. A marriage between persons of the
9 same sex which was entered into in another state or foreign
10 jurisdiction, even if valid where entered into, shall be void in
11 this Commonwealth.]

12 Section 3. This act shall take effect immediately.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1800 PN2214	Prepared By:	David Vitale, Esq.
Committee:	Judiciary		(717) 705-7011,6791
Sponsor:	Kenyatta, Malcolm	Executive Director:	David Vitale, Esq.
Date:	8/14/2025		

A. Brief Concept

Repeals the antiquated and unconstitutional section of Title 23 that requires that a marriage be between a one man and one woman.

C. Analysis of the Bill

Repeals 23 Pa.C.S. § 1704 in its entirety.

Section 1704 of Title 23 of the Pennsylvania Consolidated Statutes is repealed:

~~§ 1704. Marriage between persons of the same sex.~~

~~It is hereby declared to be the strong and longstanding public policy of this Commonwealth that marriage shall be between one man and one woman. A marriage between persons of the same sex which was entered into in another state or foreign jurisdiction, even if valid where entered into, shall be void in this Commonwealth.]~~

The effect of the repeal is to clean up an outdated provision in Pennsylvania statute that has been invalidated by federal law.

The bill also fixes the definition of marriage at Section 1103 by making it a "civil contract between two individuals."

Effective Date:

Immediately.

G. Relevant Existing Laws

Title 23 Pa.C.S. § 1102 (Definitions) A civil contract by which one man and one woman take each other for husband and wife.

Title 23 Pa.C.S. § 1704 provides marriage is between one man and one woman and prohibits marriage between persons of the same sex.

23 Pa.C.S. § 1704 was rendered unconstitutional by the U.S. Supreme Court's Obergefell v. Hodges 576 US (2015) decision that rendered state prohibitions against same-sex marriage as violations of the 14th Amendment's Equal Protection Clause of the United States Constitution.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

HB 2269 passed the House 133-68 on July 2, 2024. It was reported as amended (PN 3321) out of the House Judiciary Committee 17-8 on June 12, 2024. Representative's Bonner, Ecker, and Klunk voted with the Majority.

This bill has been introduced as HB 824 of 2021 and HB 1703 of 2019, with no action taken on the bills after referral to the House Judiciary Committee.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1902 Session of 2025

INTRODUCED BY FRANKEL, N. NELSON, BENHAM, HILL-EVANS, WAXMAN,
PIELLI, HOHENSTEIN, DONAHUE, PROBST, RIVERA, MALAGARI,
SANCHEZ, HADDOCK, BOROWSKI, SHUSTERMAN, CEPEDA-FREYTIZ,
SCHLOSSBERG, INGLIS, TAKAC, HANBIDGE AND STEELE,
SEPTEMBER 30, 2025

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 30, 2025

AN ACT

1 Amending Titles 18 (Crimes and Offenses), 42 (Judiciary and
2 Judicial Procedure) and 53 (Municipalities Generally) of the
3 Pennsylvania Consolidated Statutes, in assault, further
4 providing for the offense of ethnic intimidation; in
5 particular rights and immunities, further providing for civil
6 rights violations; and, in employees, further providing for
7 definitions and providing for annual officer training on
8 hate-based intimidation.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 2710 heading, (a) and (c) of Title 18 of
12 the Pennsylvania Consolidated Statutes, amended by the act of
13 December 3, 2002 (P.L.1176, No.143), declared unconstitutional,
14 936 A.2d 188 (Pa. Commonwealth 2007), affirmed, 951 A.2d 345
15 (2008), are amended and the section is amended by adding a
16 subsection to read:

17 § 2710. [**Ethnic**] Hate-based intimidation.

18 (a) Offense defined.--A person commits the offense of
19 [**ethnic**] hate-based intimidation if, with malicious intention

1 toward the race, color, religion [or], national origin,
2 ethnicity, ancestry, sex, gender, gender identity, gender
3 expression, sexual orientation or disability of another
4 individual [or], group of individuals[, he commits an offense
5 under any other provision of this article or] or a person with
6 whom the individual or group is associated, the person commits a
7 personal injury crime as defined in section 103 of the act of
8 November 24, 1998 (P.L.882, No.111), known as the Crime Victims
9 Act, which results in bodily injury, an offense under Chapter 33
10 (relating to arson, criminal mischief and other property
11 destruction) [exclusive of section 3307 (relating to
12 institutional vandalism)] or an offense under section 3503
13 (relating to criminal trespass) with respect to such individual
14 or his or her property or with respect to one or more members of
15 such group or to their property.

16 * * *

17 (b.1) Construction.--Nothing in this section may be
18 construed to prohibit, limit or punish religiously motivated
19 speech or conduct that is otherwise protected by the
20 Constitution of the United States, the Constitution of
21 Pennsylvania or the act of December 9, 2002 (P.L.1701, No.214),
22 known as the Religious Freedom Protection Act.

23 (c) Definition.--As used in this section "malicious
24 intention" means the intention to commit any act, the commission
25 of which is a necessary element of any offense referred to in
26 subsection (a) motivated by hatred toward the race, color,
27 religion [or], national origin, ethnicity, ancestry, sex,
28 gender, gender identity, gender expression, sexual orientation
29 or disability of another individual or group of individuals.

30 Section 2. Section 8309(a) of Title 42 is amended and the

1 section is amended by adding a subsection to read:

2 § 8309. Civil rights violations.

3 (a) Redress for personal injury.--~~[A person]~~ An individual
4 who incurs injury to his or her person or damage or loss to his
5 or her property as a result of conduct described in 18 Pa.C.S. §
6 2710 (relating to ~~[ethnic]~~ hate-based intimidation) or 3307
7 (relating to institutional vandalism) shall have a right of
8 action ~~[against the actor for]~~ in a court of common pleas for a
9 preliminary or permanent injunction, damages or other
10 appropriate civil or equitable relief~~[.]~~ against the actor, a
11 person who has solicited the actor to engage in the conduct and
12 a person who has knowingly attempted to provide or provided aid
13 to the actor with the intent that the actor engage in the
14 conduct. In the action, the issue of whether the defendant
15 engaged in the conduct alleged shall be determined according to
16 the burden of proof used in other civil actions for similar
17 relief. The plaintiff may seek recovery for any of the
18 following:

19 (1) General and special damages, including damages for
20 emotional distress. Damages under this paragraph shall be
21 actual damages or \$500, whichever is greater.

22 (2) Punitive damages.

23 (3) Reasonable attorney fees and costs.

24 (4) Injunctive and other equitable relief.

25 (5) Such other relief which the court deems necessary
26 and proper.

27 * * *

28 (g) Construction.--Nothing in this section may be construed
29 to prohibit, limit or punish religiously motivated speech or
30 conduct that is otherwise protected by the Constitution of the

United States, the Constitution of Pennsylvania or the act of
December 9, 2002 (P.L.1701, No.214), known as the Religious
Freedom Protection Act.

Section 3. Section 2162 of Title 53 is amended by adding a
definition to read:

§ 2162. Definitions.

The following words and phrases when used in this subchapter
shall have the meanings given to them in this section unless the
context clearly indicates otherwise:

* * *

"Hate-based intimidation." An offense specified under 18
Pa.C.S. § 2710 (relating to hate-based intimidation).

* * *

Section 4. Title 53 is amended by adding a section to read:
§ 2173. Annual officer training on hate-based intimidation.

(a) Training.--The commission and the Pennsylvania State
Police shall consult with and incorporate feedback from relevant
community-based and faith-based stakeholders and groups, as well
as racial justice and legal stakeholders and groups, to develop
training under this section. After the consultation, the
commission and the Pennsylvania State Police shall, in
consultation with the Pennsylvania Human Relations Commission
and the Attorney General, develop, implement and provide annual
training on hate-based intimidation to officers. The training
shall include, but not be limited to:

(1) Identification of hate-based intimidation.

(2) Methods to address hate-based intimidation.

(3) Reporting of hate-based intimidation.

(4) Hate-based intimidation recordkeeping.

(5) Any instruction deemed necessary in recognizing

enforcement-related bias.

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

"Officer." Any of the following:

(1) A full-time or part-time employee assigned to criminal or traffic law enforcement duties of any of the following:

(i) A police department of a county, city, borough, town or township.

(ii) Any railroad or street railway police.

(iii) Any campus or university police department, including the State System of Higher Education and its member institutions.

(iv) The Capitol Police.

(v) The Harrisburg International Airport Police.

(vi) An airport authority police department.

(2) A deputy sheriff of a county of the second class.

(3) A security officer of a first class city housing authority or a police officer of a second class city housing authority.

(4) A county park police officer.

(5) Probation and parole officers.

The term excludes a person employed to check parking meters or to perform only administrative duties and auxiliary and fire police.

Section 5. This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1902

Sponsor: Briggs

Printer's No. 2371

1 Amend Bill, page 2, lines 17 through 22, by striking out "may
2 be" in line 17 and all of lines 18 through 22 and inserting
3 shall be construed to prohibit, limit or otherwise punish a
4 person in the free exercise or enjoyment of a right or privilege
5 secured to the person by the Constitution or laws of the United
6 States or the Constitution of Pennsylvania or laws of this
7 Commonwealth.

8 Amend Bill, page 3, lines 28 through 30; page 4, lines 1
9 through 3; by striking out "may be construed" in line 28, all of
10 lines 29 and 30 on page 3 and all of lines 1 through 3 on page 4
11 and inserting

12 shall be construed to prohibit, limit or otherwise punish a
13 person in the free exercise or enjoyment of a right or privilege
14 secured to the person by the Constitution or laws of the United
15 States or the Constitution of Pennsylvania or laws of this
16 Commonwealth.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1902 PN2371	Prepared By:	David Vitale, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Frankel and N. Nelson		
Date:	2/20/2026		

A. Brief Concept

Expands protections for hate-based intimidation and requires police training to identify hate-based intimidation.

C. Analysis of the Bill

Amends title 18, § 2710 by updating the term "Ethnic intimidation" and changes it to "Hate-Based Intimidation". The bill expands the protections to ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation or disability of an individual or group of individuals.

A person commits the offense of hate-based intimidation if the person commits a personal injury crime as defined in the Crime Victims Act or an offense under Chapter 33 (relating to arson, criminal mischief and other property destruction), exclusive of section 3307 (relating to institutional vandalism); or an offense under section 3503 (relating to criminal trespass) and the person intentionally selected the person or property, based in whole or in substantial part, because of the actual or perceived race, color, religion, national origin, ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation or disability of an individual or group of individuals. For a person to be guilty when the underlying criminal conduct is a personal injury crime, the person must have caused bodily injury.

The bill includes a restatement of religious freedoms under the U.S. Constitution, the PA Constitution, and the Religious Freedom Protection Act.

The bill makes a necessary editorial change in title 42 § 8309(a) (Civil rights violations) to update a cross reference and adds redress for personal injury to include when a victim of a hate-based crime has incurred injury or suffered loss or damage to his or her property. A civil action may be maintained against the actor, a person who has solicited the actor to engage in the conduct and a person who has knowingly attempted to provide or provided aid to the actor with the intent that the actor engages in the conduct.

Lastly, the bill amends title 53, § 2173 to require police to undergo biennial hate-based intimidation training. Requires the commission and PSP to consult with and incorporate feedback from community based and faith-based stakeholders and groups, as well as racial justice and legal stakeholders and legal groups to develop training for police officers on hate-based intimidation and requires instruction on recognizing bias.

Defines "officer" as any of the following:

(1) A full-time or part-time employee assigned to criminal or traffic law enforcement duties of any of the following:

- i. A police department of a county, city, borough, town or township.
- ii. Any railroad or street railway police.
- iii. Any campus or university police department, including the State System of Higher Education and its member institutions.
- iv. The Capitol Police.
- v. The Harrisburg International Airport Police.
- vi. An airport authority police department.

(2) A deputy sheriff of a county of the second class.

(3) A security officer of a first-class city housing authority or a police officer of a second-class city housing authority.

(4) A county park police officer.

(5) Probation and parole officers.

The term excludes persons employed to check parking meters or to perform only administrative duties and auxiliary and fire police.

Effective Date:

60 Days.

G. Relevant Existing Laws

Section 2710 of the Crimes Code 18 Pa.C.S. 2710, provides:

Ethnic intimidation.

(a) Offense defined.--A person commits the offense of ethnic intimidation if, with malicious intention toward the race, color, religion or national origin of another individual or group of individuals, he commits an offense under any other provision of this article or under Chapter 33 (relating to arson, criminal mischief and other property destruction) exclusive of section 3307 (relating to institutional vandalism) or under section 3503 (relating to criminal trespass) with respect to such individual or his or her property or with respect to one or more members of such group or to their property.

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

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

*There are no training requirements for police in identifying hate-based intimidation in current law.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

House Bill 1024 of 2023, passed the House 112-90 on Oct. 31, 2023.

Passed the House Judiciary Committee on May 24, 2023, 12-9.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1905 Session of 2025

INTRODUCED BY FRANKEL, N. NELSON, BENHAM, HILL-EVANS, WAXMAN, PIELLI, HOHENSTEIN, DONAHUE, PROBST, RIVERA, BOYD, MALAGARI, SANCHEZ, HADDOCK, BOROWSKI, SHUSTERMAN, CEPEDA-FREYTIZ, SCHLOSSBERG, INGLIS, TAKAC, ABNEY, HANBIDGE, STEELE AND GUENST, SEPTEMBER 30, 2025

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 30, 2025

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and
2 Judicial Procedure) of the Pennsylvania Consolidated
3 Statutes, in assault, further providing for the offense of
4 ethnic intimidation; and, in particular rights and
5 immunities, further prohibiting civil rights violations.

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

8 Section 1. Section 2710 heading, (a) and (c) of Title 18 of
9 the Pennsylvania Consolidated Statutes, amended by the act of
10 December 3, 2002 (P.L.1176, No.143), declared unconstitutional,
11 936 A.2d 188 (Pa. Commonwealth 2007), affirmed, 951 A.2d 345
12 (2008), are amended and the section is amended by adding a
13 subsection to read:

14 § 2710. [Ethnic] Hate-based intimidation.

15 (a) Offense defined.--A person commits the offense of
16 [ethnic] hate-based intimidation if, with malicious intention
17 toward the race, color, religion [or], national origin,
18 ethnicity, ancestry, sex, gender, gender identity, gender

1 expression, sexual orientation or disability of another
2 individual [or], group of individuals[, he commits an offense
3 under any other provision of this article or] or a person with
4 whom the individual or group is associated, commits a personal
5 injury crime as defined in section 103 of the act of November
6 24, 1998 (P.L.882, No.111), known as the Crime Victims Act,
7 which results in bodily injury, an offense under Chapter 33
8 (relating to arson, criminal mischief and other property
9 destruction) [exclusive of section 3307 (relating to
10 institutional vandalism)] or an offense under section 3503
11 (relating to criminal trespass) with respect to such individual
12 or his or her property or with respect to one or more members of
13 such group or to their property.

14 * * *

15 (b.1) Construction.--Nothing in this section may be
16 construed to prohibit, limit or punish religiously motivated
17 speech or conduct that is otherwise protected by the
18 Constitution of the United States, the Constitution of
19 Pennsylvania or the act of December 9, 2002 (P.L.1701, No.214),
20 known as the Religious Freedom Protection Act.

21 (c) Definition.--As used in this section "malicious
22 intention" means the intention to commit any act, the commission
23 of which is a necessary element of any offense referred to in
24 subsection (a) motivated by hatred toward the race, color,
25 religion, ethnicity, ancestry, sex, gender, gender identity,
26 gender expression, sexual orientation, disability or national
27 origin of another individual or group of individuals.

28 Section 2. Section 8309(a) of Title 42 is amended and the
29 section is amended by adding a subsection to read:

30 § 8309. Civil rights violations.

(a) Redress for personal injury.--[A person]

(1) An individual who incurs injury to his or her person or damage or loss to his or her property as a result of conduct described in 18 Pa.C.S. § 2710 (relating to [ethnic] hate-based intimidation) or 3307 (relating to institutional vandalism) shall have a right of action [against the actor for] in a court of common pleas for preliminary or permanent injunction, damages or other appropriate civil or equitable relief[.] against all of the following:

(i) The actor.

(ii) A person who has solicited the actor to engage in the conduct.

(iii) A person who has knowingly attempted to provide or provided aid to the actor with the intent that the actor engage in the conduct.

(2) In the action, the issue of whether the defendant engaged in the conduct alleged shall be determined according to the burden of proof used in other civil actions for similar relief.

(3) The plaintiff may seek recovery for any of the following:

[(1)] (i) General and special damages, including damages for emotional distress. Damages under this paragraph shall be actual damages or \$500, whichever is greater.

[(2)] (ii) Punitive damages.

[(3)] (iii) Reasonable attorney fees and costs.

[(4)] (iv) Injunctive and other equitable relief.

[(5)] (v) Such other relief which the court deems necessary and proper.

1 * * *

2 (g) Construction.--Nothing in this section may be construed
3 to prohibit, limit or punish religiously motivated speech or
4 conduct that is otherwise protected by the Constitution of the
5 United States, the Constitution of Pennsylvania or the act of
6 December 9, 2002 (P.L.1701, No.214), known as the Religious
7 Freedom Protection Act.

8 Section 3. This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1905

Sponsor: Briggs

Printer's No. 2374

1 Amend Bill, page 2, lines 15 through 20, by striking out "may
2 be" in line 15 and all of lines 16 through 20 and inserting
3 shall be construed to prohibit, limit or otherwise punish a
4 person in the free exercise or enjoyment of a right or privilege
5 secured to the person by the Constitution or laws of the United
6 States or the Constitution of Pennsylvania or laws of this
7 Commonwealth.

8 Amend Bill, page 4, lines 2 through 7, by striking out "may
9 be construed" in line 2 and all of lines 3 through 7 and
10 inserting

11 shall be construed to prohibit, limit or otherwise punish a
12 person in the free exercise or enjoyment of a right or privilege
13 secured to the person by the Constitution or laws of the United
14 States or the Constitution of Pennsylvania or laws of this
15 Commonwealth.

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1905 PN2374	Prepared By:	David Vitale, Esq. (717) 705-1880,6792
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Frankel and N. Nelson		
Date:	2/20/2026		

A. Brief Concept

Strengthens the criminal hate-based intimidation statute and civil rights violation statute regarding hate-based intimidation.

C. Analysis of the Bill

Amends title 18, § 2710 by updating the term "Ethnic intimidation" and changes it to "Hate-Based Intimidation". The bill expands the protections to ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation, or disability of an individual or group of individuals.

A person commits the offense of hate-based intimidation if the person commits a personal injury crime as defined in the Crime Victims Act or an offense under Chapter 33 (relating to arson, criminal mischief and other property destruction), exclusive of section 3307 (relating to institutional vandalism); or an offense under section 3503 (relating to criminal trespass) and the person intentionally selected the person or property, based in whole or in substantial part, because of the actual or perceived ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation or disability of an individual or group of individuals. For a person to be guilty when the underlying criminal conduct is a personal injury crime, the person must have caused bodily injury.

The bill includes a restatement of religious freedoms under the U.S. Constitution, the PA Constitution, and the Religious Freedom Protection Act.

The bill makes a necessary editorial change in title 42 § 8309(a) (Civil rights violations) to update a cross reference and adds redress for personal injury to include when a victim of a hate-based crime has incurred injury or suffered loss or damage to his or her property. A civil action may be maintained against the actor, a person who has solicited the actor to engage in the conduct and a person who has knowingly attempted to provide or provided aid to the actor with the intent that the actor engages in the conduct.

Effective Date:

60 Days.

G. Relevant Existing Laws

Section of Title 18 of the Consolidated Statutes, 18 Pa.C.S. 2710, provides:

Ethnic intimidation.

(a) Offense defined.--A person commits the offense of ethnic intimidation if, with malicious intention toward the race, color, religion or national origin of another individual or group of individuals, he commits an offense under any other provision of this article or under Chapter 33 (relating to arson, criminal mischief and other property destruction) exclusive of section 3307 (relating to institutional vandalism) or under section 3503 (relating to criminal trespass) with respect to such individual or his or her property or with respect to one or more members of such group or to their property.

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

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

Section 103 of the Crime Victim Act defines "Personal injury crime" as an act, attempt, solicitation or conspiracy to commit an act which would constitute a misdemeanor or felony under the following:

- 18 Pa.C.S. Ch. 25 (relating to criminal homicide).
- 18 Pa.C.S. Ch. 27 (relating to assault).
- 18 Pa.C.S. § 2803 (relating to aggravated hazing).
- 18 Pa.C.S. Ch. 29 (relating to kidnapping).
- 18 Pa.C.S. Ch. 30 (relating to human trafficking).
- 18 Pa.C.S. Ch. 31 (relating to sexual offenses).
- 18 Pa.C.S. § 3301 (relating to arson and related offenses).
- 18 Pa.C.S. Ch. 37 (relating to robbery).
- 18 Pa.C.S. Ch. 49 Subch. B (relating to victim and witness intimidation).
- 18 Pa.C.S. § 6312 (relating to sexual abuse of children).
- 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).
- 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).
- 30 Pa.C.S. § 5502.1 (relating to homicide by watercraft while operating under influence).
- 30 Pa.C.S. § 5502.2 (relating to homicide by watercraft).
- 30 Pa.C.S. § 5502.3 (relating to aggravated assault by watercraft while operating under influence).
- 30 Pa.C.S. § 5502.4 (relating to aggravated assault by watercraft).
- The former 75 Pa.C.S. § 3731 (relating to driving under influence of alcohol or controlled substance) in cases involving bodily injury.
- 75 Pa.C.S. § 3732 (relating to homicide by vehicle).
- 75 Pa.C.S. § 3732.1 (relating to aggravated assault by vehicle).
- 75 Pa.C.S. § 3735 (relating to homicide by vehicle while driving under influence).
- 75 Pa.C.S. § 3735.1 (relating to aggravated assault by vehicle while driving under the influence).
- 75 Pa.C.S. Ch. 38 (relating to driving after imbibing alcohol or utilizing drugs) in cases involving bodily injury.

The term includes violations of any protective order issued under 23 Pa.C.S. Ch. 61 (relating to protection from abuse) or 42 Pa.C.S. Ch. 62A (relating to protection of victims of sexual violence or intimidation) or a similar protective order issued outside this Commonwealth. The term includes a crime of violence as defined in 42 Pa.C.S. § 9714(g) (relating to sentences for second and subsequent offenses).

"Personal injury rights crime." A personal injury crime or an act, attempt, solicitation or conspiracy to commit an act which would constitute a misdemeanor or felony under the following:

- 18 Pa.C.S. § 2802 (relating to hazing), if graded as a misdemeanor of the third degree.
- 18 Pa.C.S. § 5131 (relating to recruiting criminal gang members).
- 75 Pa.C.S. § 3733 (relating to fleeing or attempting to elude police officer).
- 75 Pa.C.S. § 3734 (relating to driving without lights to avoid identification or arrest).
- 75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury).
- 75 Pa.C.S. § 3742.1 (relating to accidents involving death or personal injury while not properly licensed) if the nature and circumstance of the offense committed are substantially similar to an offense under 75 Pa.C.S. § 3742.

Section 8309 of the Consolidated Statute, 42 Pa.C.S. 8309, provides:

Civil rights violations.

(a) Redress for personal injury.--A person who incurs injury to his person or damage or loss to his property as a result of conduct described in 18 Pa.C.S. § 2710 (relating to ethnic intimidation) or 3307 (relating to institutional vandalism) shall have a right of action against the actor for injunction, damages or other appropriate civil or equitable relief. In the action, the issue of whether the defendant engaged in the conduct alleged shall be determined according to the burden of proof used in other civil actions for similar relief. The plaintiff may seek recovery for any of the following:

- (1) General and special damages, including damages for emotional distress. Damages under this paragraph shall be actual damages or \$500, whichever is greater.
- (2) Punitive damages.
- (3) Reasonable attorney fees and costs.
- (4) Injunctive and other equitable relief.
- (5) Such other relief which the court deems necessary and proper.

(d) Contempt notice required to be part of order. --In actions brought under this section, when a court issues a temporary restraining order or a preliminary or permanent injunction ordering a defendant to refrain from certain conduct or activities, the order issued shall contain the following statement: VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

(e) Penalties. --A violation of an order issued and served as set forth in this section shall be a misdemeanor of the second degree. If bodily injury results from the violation, the violation shall be a misdemeanor of the first degree.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

House Bill 1027 of 2023, passed the House 116-86 on Oct. 31, 2023.

Passed the House Judiciary Committee on May 24, 2023, 12-9.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 393 Session of
2026

INTRODUCED BY WAXMAN, GIRAL, ISAACSON, FREEMAN, VITALI, McNEILL,
HOHENSTEIN, SANCHEZ, CEPEDA-FREYTIZ, MAYES AND MADDEN,
JANUARY 20, 2026

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 21, 2026

A RESOLUTION

1 Designating February 28, 2026, as "HIV is Not a Crime Awareness
2 Day" in Pennsylvania.

3 WHEREAS, Human immunodeficiency virus (HIV) is a chronic
4 illness that can be effectively managed with antiretroviral
5 therapy, and the science around HIV treatment and prevention has
6 progressed significantly in the four decades since the early
7 days of the epidemic; and

8 WHEREAS, We now possess effective mechanisms to prevent the
9 transmission of HIV, including barrier protection, such as
10 condoms, pre-exposure prophylaxis and post-exposure prophylaxis;
11 and

12 WHEREAS, It has been recognized by national and international
13 public health authorities that HIV treatment is also HIV
14 prevention, since individuals living with HIV who are receiving
15 antiretroviral therapy and have an undetectable viral load,
16 which is less than 200 copies of HIV per milliliter of blood,
17 cannot transmit HIV through sexual contact; and

1 WHEREAS, Pennsylvanians living with HIV have been charged
2 with crimes for conduct that would not be criminal or would be
3 less severe but for their HIV status, a phenomenon known as HIV
4 criminalization; and

5 WHEREAS, Pennsylvanians living with HIV may fear prosecution
6 or be threatened with prosecution, especially in cases of
7 intimate partner abuse; and

8 WHEREAS, HIV criminalization increases stigma against
9 individuals living with HIV and, according to the United States
10 Department of Health and Human Services 2019 Plan for Ending the
11 HIV Epidemic, stigma "can be a debilitating barrier preventing
12 people living with, or at risk for, HIV from receiving the
13 health care, services, and respect they need and deserve"; and

14 WHEREAS, HIV criminalization laws have been
15 disproportionately used to prosecute people of color, women, sex
16 workers, the LGBTQ+ community and other marginalized groups; and

17 WHEREAS, Misperceptions about HIV transmission, treatment and
18 prevention, as well as HIV criminalization and its impact on
19 individuals living with HIV are common; and

20 WHEREAS, It is vitally important for all elected officials in
21 this Commonwealth to consider updating or repealing outdated
22 laws and practices regarding HIV criminalization and to
23 encourage every Pennsylvanian to educate themselves about HIV
24 and HIV criminalization; therefore be it

25 RESOLVED, That the House of Representatives designate
26 February 28, 2026, as "HIV is Not a Crime Awareness Day" in
27 Pennsylvania.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HR0393 PN2782	Prepared By:	David Vitale, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Waxman, Benjamin		
Date:	1/21/2026		

A. Brief Concept

Resolution to designate February 28, 2026, as "HIV is Not a Crime Awareness Day" in Pennsylvania.

C. Analysis of the Bill

Human immunodeficiency virus (HIV) is a chronic illness that can be effectively managed with antiretroviral therapy, and the science around HIV treatment and prevention has progressed significantly in the four decades since the early days of the epidemic.

Effective mechanisms exist to prevent the transmission of HIV, including barrier protection, such as condoms, pre-exposure prophylaxis and post-exposure prophylaxis.

It has been recognized by national and international public health authorities that HIV treatment is also HIV prevention, since individuals living with HIV who are receiving antiretroviral therapy and have an undetectable viral load, which is less than 200 copies of HIV per milliliter of blood, cannot transmit HIV through sexual contact.

Pennsylvanians living with HIV have been charged with crimes for conduct that would not be criminal or would be less severe but for their HIV status, a phenomenon known as HIV criminalization.

Pennsylvanians living with HIV may fear prosecution or be threatened with prosecution, especially in cases of intimate partner abuse.

HIV criminalization increases stigma against individuals living with HIV and, according to the United States Department of Health and Human Services 2019 Plan for Ending the HIV Epidemic, stigma "can be a debilitating barrier preventing people living with, or at risk for, HIV from receiving the health care, services, and respect they need and deserve".

HIV criminalization laws have been disproportionately used to prosecute people of color, women, sex workers, the LGBTQ+ community and other marginalized groups.

Misperceptions about HIV transmission, treatment and prevention, as well as HIV criminalization and its impact on individuals living with HIV are common.

It is vitally important for all elected officials in this Commonwealth to consider updating or repealing outdated laws and practices regarding HIV criminalization and to encourage every Pennsylvanian to educate themselves about HIV and HIV criminalization.

Effective Date:

February 28, 2026.

G. Relevant Existing Laws

None.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

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