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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 697 Session of  
2023

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INTRODUCED BY STREET, SCHWANK, TARTAGLIONE, HUGHES, FONTANA,  
COLLETT, HAYWOOD, COMMITTA, BREWSTER, COSTA, CAPPELLETTI, KANE  
AND DILLON, MAY 15, 2023

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REFERRED TO JUDICIARY, MAY 15, 2023

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AN ACT

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

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

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

10 § 3307. Institutional vandalism.

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

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

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

1 the purpose of burial or memorializing the dead;

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

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

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

9 \* \* \*

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

17 (1) A felony of the first degree if death results from  
18 the act committed in violation of this section.

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

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

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

30 (ii) the act is one of desecration; or

1           (iii) the actor causes pecuniary loss, which  
2           includes the cost of repair or replacement of the  
3           property affected, in excess of \$2,000.

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

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

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

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

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

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