LEGISLATIVE REFERENCE BUREAU

L.R.B. Form No. 4 (Rev. 1/11/17)

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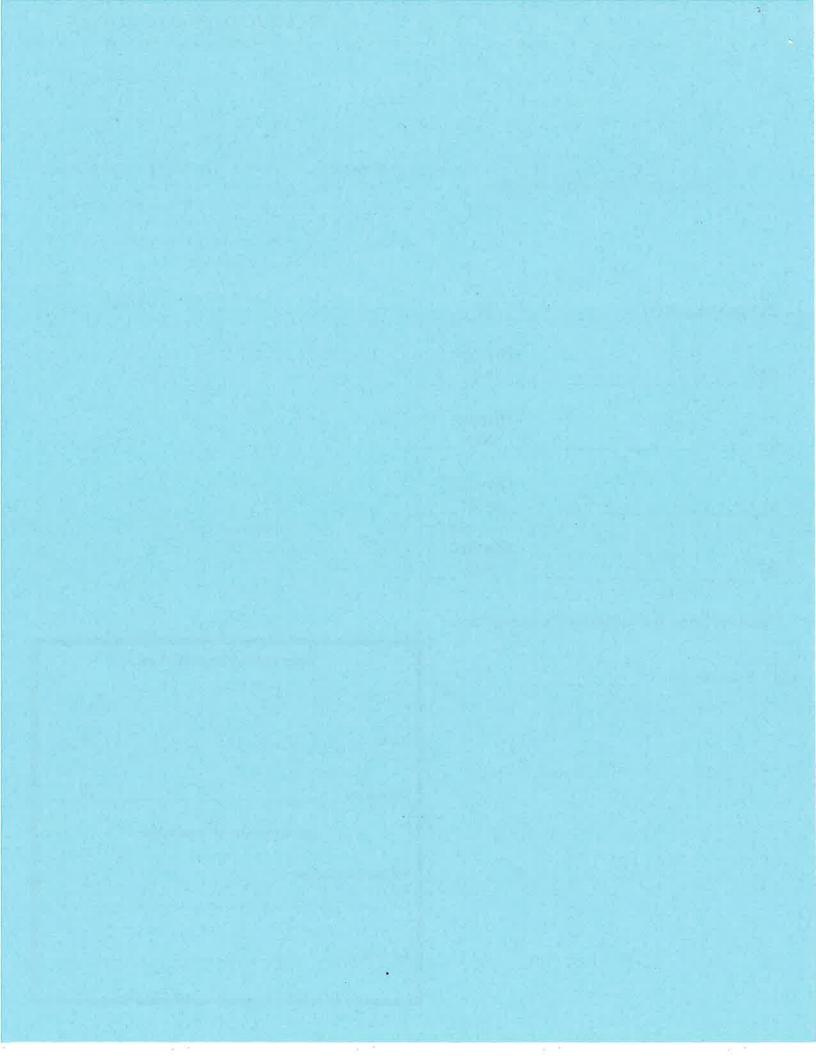
LEGISLATIVE REFERENCE BUREAU

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AN ACT

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, further providing for civil rights violations.

Ву	District NO	
By	District	
Ву	District	
By	District	
See next page for add	itional co-sponsors.	
Prior Session		Referred to Committee on
		Date20
		Reported20
		Recommendation
		By Hon.



AN ACT

- Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, further providing for civil rights violations. 1
- 2 3
- The General Assembly of the Commonwealth of Pennsylvania 4
- hereby enacts as follows: 5
- Section 1. Section 8309(a) of Title 42 of the Pennsylvania 6
- 7 Consolidated Statutes is amended and the section is amended by
- adding a subsection to read: 8
- § 8309. Civil rights violations. 9
- 10 Redress for personal injury. -- A person who incurs injury (a)
- to his person or damage or loss to his property as a result of 11
- conduct described in 18 Pa.C.S. § 2710 (relating to ethnic 12
- intimidation) or 3307 (relating to institutional vandalism) 13
- shall have a right of action against the actor or an employer of 14
- the actor for injunction, damages or other appropriate civil or 15
- equitable relief. In the action, the issue of whether the 16
- defendant engaged in the conduct alleged shall be determined 17
- according to the burden of proof used in other civil actions for 18

- 1 similar relief. The plaintiff may seek recovery for any of the 2 following:
- 3 (1) General and special damages, including damages for 4 emotional distress. Damages under this paragraph shall be 5 actual damages or [\$500] \$5000, whichever is greater.
 - (2) Punitive damages.
 - (3) Reasonable attorney fees and costs.
 - (4) Injunctive and other equitable relief.
- 9 (5)Such other relief which the court deems necessary 10 and proper[.], which may include, but not be limited to, posting by the actor or an employer of the actor of the court 11 order entered in the matter in a conspicuous manner on at 12 13 least one public entrance way of a commercial property owned 14 or occupied by the actor or an employer of the actor and on a publicly accessible Internet website maintained by or on 15 behalf of the actor or an employer of the actor for a period 16 of not less than 30 nor more than 90 continuous days. 17
- 18 * * *

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- 19 (q) Definition. -- As used in this section, the term
- 20 "employer" shall have the same meaning as given to it under
- 21 <u>section 4 of the act of October 27, 1955 (P.L.744, No.222),</u>
- 22 known as the Pennsylvania Human Relations Act.
- 23 Section 2. This act shall take effect in 60 days.