

## AN ACT

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

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

6 Section 1. Section 8309(a) of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended and the section is amended by  
8 adding a subsection to read:

9 § 8309. Civil rights violations.

10 (a) Redress for personal injury.--A person who incurs injury  
11 to his person or damage or loss to his property as a result of  
12 conduct described in 18 Pa.C.S. § 2710 (relating to ethnic  
13 intimidation) or 3307 (relating to institutional vandalism)  
14 shall have a right of action against the actor or an employer of  
15 the actor for injunction, damages or other appropriate civil or  
16 equitable relief. In the action, the issue of whether the  
17 defendant engaged in the conduct alleged shall be determined  
18 according to the burden of proof used in other civil actions for

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~~] \$5,000, whichever is greater.

6 (2) Punitive damages.

7 (3) Reasonable attorney fees and costs.

8 (4) Injunctive and other equitable relief.

9 (5) Such other relief which the court deems necessary  
10 and proper[.], which may include posting by the actor or an  
11 employer of the actor of the court order entered in the  
12 matter in a conspicuous manner on at least one public  
13 entranceway of a commercial property owned or occupied by the  
14 actor or an employer of the actor and on a publicly  
15 accessible Internet website maintained by or on behalf of the  
16 actor or an employer of the actor for a period of not less  
17 than 30 nor more than 90 continuous days.

18 \* \* \*

19 (g) Definition.--As used in this section, the term  
20 "employer" shall have the same meaning as given to it under  
21 section 4 of the act of October 27, 1955 (P.L.744, No.222),  
22 known as the Pennsylvania Human Relations Act.

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