

1
2
3
4
5
6
7
8
9

10
11
12
13
14
15
16
17

H.118

Introduced by Representatives Arsenault of Williston and LaLonde of South
Burlington

Referred to Committee on

Date:

Subject: Crimes and criminal procedure; hate-motivated crimes

Statement of purpose of bill as introduced: This bill proposes to expand the
scope of hate-motivated crimes to include unlawful conduct directed at a group
of particular persons rather than just a singular victim.

An act relating to expanding the scope of hate-motivated crimes

It is hereby enacted by the General Assembly of the State of Vermont:

~~Ch. 1. 13 V.S.A. § 1455 is amended to read:~~

~~§ 1455. HATE-MOTIVATED CRIMES~~

~~(a) A person who commits, causes to be committed, or attempts to commit
any crime and whose conduct is motivated, in whole or in part, by the victim's
another person's or a group of particular persons' actual or perceived
membership in a protected category shall be subject to the following penalties.~~

1 ~~(1) If the maximum penalty for the underlying crime is one year or less,~~
2 the penalty for a violation of this section shall be imprisonment for not more
3 than two years or a fine of not more than \$2,000.00, or both.

4 (2) If the maximum penalty for the underlying crime is more than one
5 year but less than five years, the penalty for a violation of this section shall be
6 imprisonment for not more than five years or a fine of not more than
7 \$10,000.00, or both.

8 (3) If the maximum penalty for the underlying crime is five years or
9 more, the penalty for the underlying crime shall apply; however, the court
10 shall consider the motivation of the defendant as a factor in sentencing.

11 (b) ~~The victim's~~ A person's or a group of particular persons' actual or
12 perceived membership in a protected category or categories need not be the
13 predominant reason or the sole reason for the defendant's conduct.

14 (c) As used in this section, "protected category" includes race, color,
15 religion, national origin, sex, ancestry, age, service in the U.S. Armed Forces
16 or the National Guard, disability as defined by 21 V.S.A. § 495d(3), sexual
17 orientation, gender identity, and perceived membership in any such group.

18 Sec. 2. EFFECTIVE DATE

19 ~~This act shall take effect on July 1, 2025.~~

Sec. 1. 13 V.S.A. § 1455 is amended to read:

§ 1455. HATE-MOTIVATED CRIMES

(a) A person who commits, causes to be committed, or attempts to commit any crime and whose conduct is motivated, in whole or in part, by ~~the victim's~~ another person's or a group of persons' actual or perceived membership in a protected category shall be subject to the following penalties:

(1) If the maximum penalty for the underlying crime is one year or less, the penalty for a violation of this section shall be imprisonment for not more than two years or a fine of not more than \$2,000.00, or both.

(2) If the maximum penalty for the underlying crime is more than one year but less than five years, the penalty for a violation of this section shall be imprisonment for not more than five years or a fine of not more than \$10,000.00, or both.

(3) If the maximum penalty for the underlying crime is five years or more, the penalty for the underlying crime shall apply; however, the court shall consider the motivation of the defendant as a factor in sentencing.

(b) ~~The victim's~~ A person's or a group of persons' actual or perceived membership in a protected category or categories need not be the predominant reason or the sole reason for the defendant's conduct.

(c) As used in this section, "protected category" includes race, color, religion, national origin, sex, ancestry, age, service in the U.S. Armed Forces or the National Guard, disability as defined by 21 V.S.A. § 495d(5), sexual orientation, gender identity, and perceived membership in any such group.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2025.