

1 H.118

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

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

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

5 § 1455. HATE-MOTIVATED CRIMES

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

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

13 (2) If the maximum penalty for the underlying crime is more than one
14 year but less than five years, the penalty for a violation of this section shall be
15 imprisonment for not more than five years or a fine of not more than
16 \$10,000.00, or both.

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

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

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

5 Sec. 2. EFFECTIVE DATE

6 This act shall take effect on July 1, 2025.