

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 118
3 entitled “An act relating to expanding the scope of hate-motivated crimes”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

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

8 § 1455. HATE-MOTIVATED CRIMES

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

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

16 (2) If the maximum penalty for the underlying crime is more than one
17 year but less than five years, the penalty for a violation of this section shall be
18 imprisonment for not more than five years or a fine of not more than
19 \$10,000.00, or both.

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

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

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

11 Sec. 2. EFFECTIVE DATE

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

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16 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE