

March 12, 2001

**S 392. MATTHEW SHEPARD/INCREASE HATE CRIME PENALTY. TO HONOR THE MEMORY OF MATTHEW SHEPARD BY EXPANDING THE SCOPE OF THE HATE CRIME LAWS AND INCREASING THE CRIMINAL PENALTY FOR COMMITTING A HATE CRIME.** GS 14-3(c)

currently increases the offense class of misdemeanors that are committed because of the victim's race, color, religion, nationality, or country of origin. This bill makes GS 14-3(c) applicable to misdemeanors that are committed because of the victim's *real or perceived* race, color, religion, nationality, country of origin, *gender, sexual orientation, disability, or age*. Makes similar changes to GS 14-401.14 (ethnic intimidation) and GS 15A-1340.16(d) (aggravating factors considered in sentencing). Reclassifies offenses under GS 14-401.14 (ethnic intimidation) as a Class I felony (now, Class 1 misdemeanor). Enacts new GS 14-3(d) increasing the sentencing level for felonies that are committed because of the victim's real or perceived race, color, religion, nationality, country of origin, gender, sexual orientation, disability, or age. Defines *sexual orientation* under GS 14-3 as an emotional, physical, or sexual attachment to another person without regard to the sex of the person or an orientation for such attachment, or a self-image or expression not traditionally associated with one's biological maleness or femaleness. Applies to offenses committed on or after Dec. 1, 2001.

**Intro. by Lucas and Miller.**

Ref. to Judiciary II	GS 14, 15A
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