

March 10, 2005

S 485. HATE CRIMES/MATTHEW SHEPARD. 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. Current GS 14-3(c) increases punishment for misdemeanors committed because of the victim's race, color, religion, nationality, or country of origin. Current GS 14-401.14 (Ethnic intimidation) criminalizes certain acts committed for those reasons and GS 15A-1340.16(d)(17) provides that it is an aggravating factor if an offense was committed for those reasons. Act expands those three provisions to include the victim's perceived race, gender, sexual orientation, disability, or age. Adds new GS 14-3(d) to increase punishment by next highest prior level for felonies committed because of victim's real or perceived race, color, religion, nationality, gender, sexual orientation, disability, age, or country of origin. Defines sexual orientation as actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related activity or expression, but does not include an attraction to a minor. Effective for offenses committed on or after December 1, 2005.

Intro. by Lucas.

Ref. to Judiciary II

GS 14, 15A