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**HOUSE BILL NO. 1398**

Offered January 11, 2017

Prefiled August 9, 2016

A *BILL to amend and reenact § 52-8.5 of the Code of Virginia, relating to hate crimes; acts against law-enforcement officers, firefighters, and EMS personnel.*

Patrons—Bell, Richard P., Campbell, Cole, Dudenhefer, Edmunds, Fariss, Fowler, Greason, Hugo, Kory, Landes, Lingamfelter, Minchew, O'Quinn, Orrock and Poindexter

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:****1. That § 52-8.5 of the Code of Virginia is amended and reenacted as follows:****§ 52-8.5. Reporting hate crimes.**

A. The Superintendent shall establish and maintain within the Department of State Police a central repository for the collection and analysis of information regarding hate crimes and groups and individuals carrying out such acts.

B. State, county and municipal law-enforcement agencies shall report to the Department all hate crimes occurring in their jurisdictions in a form, time and manner prescribed by the Superintendent. Such reports shall not be open to public inspection except insofar as the Superintendent shall permit.

C. For purposes of this section,:

"Emergency medical services (EMS) personnel" means the same as that term is defined in § 32.1-111.1.

"Firefighter" means the same as that term is defined in § 65.2-102.

"~~hate~~Hate crime" means (i) a criminal act committed against a person or his property with the specific intent of instilling fear or intimidation in the individual against whom the act is perpetrated because of race, religion ~~or~~, ethnic origin, *or employment status as (a) a law-enforcement officer, (b) a firefighter, or (c) EMS personnel* or that is committed for the purpose of restraining that person from exercising his rights under the Constitution or laws of ~~this~~ the Commonwealth or of the United States;; (ii) any illegal act directed against any persons or their property because of those persons' race, religion ~~or~~, national origin, *or employment status as (a) a law-enforcement officer, (b) a firefighter, or (c) EMS personnel*; and (iii) all other incidents, as determined by law-enforcement authorities, intended to intimidate or harass any individual or group because of race, religion ~~or~~, national origin, *or employment status as (a) a law-enforcement officer, (b) a firefighter, or (c) EMS personnel.*

"Law-enforcement officer" means the same as that term is defined in § 9.1-101.

INTRODUCED

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