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HOUSE BILL NO. 32

Offered January 10, 2018

Prefiled November 28, 2017

A BILL to amend and reenact § 52-8.5 of the Code of Virginia, relating to reporting hate crimes.

Patrons—Sullivan and Hurst; Senator: Locke

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, "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, *sexual orientation, gender identification,* or ~~ethnic~~ *national* origin 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, *sexual orientation, gender identification,* or national origin~~,~~*;* and (iii) all other incidents, as determined by law-enforcement authorities, intended to intimidate or harass any individual or group because of race, religion, *sexual orientation, gender identification,* or national origin.

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