

LD5574408

## HOUSE BILL NO. 889

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice  
on March 7, 1994)

(Patron Prior to Substitute—Delegate Plum)

*A BILL to amend and reenact §§ 18.2-57 and 18.2-121 of the Code of Virginia, relating to punishment for hate crimes.*

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 18.2-57 and 18.2-121 of the Code of Virginia are amended and reenacted as follows:**

§ 18.2-57. Assault and battery.

Any person who shall commit a simple assault or assault and battery shall be guilty of a Class 1 misdemeanor. *However, if a person intentionally selects the person against whom the offense is committed because of his race, religious conviction, color or national origin, the penalty upon conviction shall include a mandatory, minimum term of confinement of at least six months which shall not be suspended, in whole or in part.*

§ 18.2-121. Entering property of another for purpose of damaging it, etc.

It shall be unlawful for any person to enter the land, dwelling, outhouse or any other building of another for the purpose of damaging such property or any of the contents thereof or in any manner to interfere with the rights of the owner, user or the occupant thereof to use such property free from interference.

Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor. *However, if a person intentionally selects the property entered because of the race, religious conviction, color or national origin of the owner, user or occupant of the property, the penalty upon conviction shall include a mandatory, minimum term of confinement of at least six months which shall not be suspended, in whole or in part.*

SENATE SUBSTITUTE

HB889S1