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HOUSE BILL NO. 276**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on the Judiciary
on February 12, 2020)

(Patrons Prior to Substitute—Delegates Sullivan and Kory [HB 1058])

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

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"~~ *As used in this section:*

"Disability" means a physical or mental impairment that substantially limits one or more of a person's major life activities.

"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, gender, disability, gender identity, sexual orientation, or ethnic or 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, gender, disability, gender identity, sexual orientation, or ethnic 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, gender, disability, gender identity, sexual orientation, or ethnic or national origin.