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HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 151

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HATE CRIMES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 1304, Title 11 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 1304. Hate crimes; class A misdemeanor, class G felony, class F felony, class E felony, class D felony, class C
4 felony, class B felony, class A felony.

5 (a) Any person who commits, or attempts to commit, any crime as defined by the laws of this State, and who
6 intentionally:

7 (1) Commits said crime for the purpose of interfering with the victim's free exercise or enjoyment of any right,
8 privilege or immunity protected by the First Amendment to the United States Constitution, or commits said crime
9 because the victim has exercised or enjoyed said rights; or

10 (2) Selects the victim because of the victim's race, religion, color, disability, sexual orientation, gender
11 identity, national origin or ancestry, or because of actual or perceived employment as a law enforcement officer, a
12 volunteer firefighter, full-time firefighter, or emergency medical services personnel, shall be guilty of a hate crime. For
13 purposes of this section, the term "sexual orientation" means heterosexuality, bisexuality, or homosexuality, and the
14 term "gender identity" means a gender-related identity, appearance, expression or behavior of a person, regardless of
15 the person's assigned sex at birth.

SYNOPSIS

This Act revises Delaware's hate crime statute to make law enforcement, firefighters and emergency personnel protected classes. Nationwide we have seen unprecedented number of unprovoked attacks upon our first responders. This Act provides additional protection for those who serve to protect our communities.