



SPONSOR: Sen. Bonini & Sen. Pettyjohn & Rep. Briggs King  
Sens. Cloutier, Hocker, Marshall; Reps. Collins, Wilson,  
Carson

DELAWARE STATE SENATE  
148th GENERAL ASSEMBLY

SENATE BILL NO. 263

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(a), Title 11, Delaware Code by making deletions as shown by strike through 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  
8 right, privilege or immunity protected by the First Amendment to the United States Constitution, or commits said  
9 crime 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 the person is a law-enforcement officer, a volunteer firefighter, a  
12 full-time firefighter, emergency medical technician, paramedic, fire police officer, fire marshal, correctional  
13 officer, a sheriff, a deputy sheriff, public transit operator, a code enforcement constable or a code enforcement  
14 officer, shall be guilty of a hate crime. For purposes of this section, the term "sexual orientation" means  
15 heterosexuality, bisexuality, or homosexuality, and the term "gender identity" means a gender-related identity,  
16 appearance, expression or behavior of a person, regardless of the person's assigned sex at birth.

SYNOPSIS

This Act would add an additional criminal penalty if the offense committed was due to the victim being a law-enforcement officer, a volunteer firefighter, a full-time firefighter, emergency medical technician, paramedic, fire police officer, fire marshal, correctional officer, a sheriff, a deputy sheriff, public transit operator, a code enforcement constable or a code enforcement officer.

AUTHOR: Senator Bonini