

103^D CONGRESS
1ST SESSION

H.R. 1152

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22 (legislative day, SEPTEMBER 7), 1993

Received, read twice and referred to the Committee on the Judiciary

AN ACT

To direct the United States Sentencing Commission to make sentencing guidelines for Federal criminal cases that provide sentencing enhancements for hate crimes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hate Crimes Sentenc-
5 ing Enhancement Act of 1993”.

1 **SEC. 2. DIRECTION TO COMMISSION.**

2 (a) IN GENERAL.—Pursuant to section 994 of title
3 28, United States Code, the United States Sentencing
4 Commission shall promulgate guidelines or amend existing
5 guidelines to provide sentencing enhancements of not less
6 than 3 offense levels for offenses that the finder of fact
7 at trial determines beyond a reasonable doubt are hate
8 crimes. In carrying out this section, the United States
9 Sentencing Commission shall assure reasonable consist-
10 ency with other guidelines, avoid duplicative punishments
11 for substantially the same offense, and take into account
12 any mitigating circumstances which might justify excep-
13 tions.

14 (b) DEFINITION.—As used in this Act, the term
15 “hate crime” is a crime in which the defendant inten-
16 tionally selects a victim, or in the case of a property crime,
17 the property which is the object of the crime, because of
18 the actual or perceived race, color, religion, national ori-
19 gin, ethnicity, gender, or sexual orientation of any person.

Passed the House of Representatives September 21,
1993.

Attest: DONNALD K. ANDERSON,
Clerk.