

## Session 114 - (2001-2002)

### S 0178 General Bill, By Jackson and Glover

**Summary:** Hate Crime Penalty Enhancement Act, Crimes and Offenses, Law Enforcement, Discrimination, Offender Registry

A BILL TO AMEND CHAPTER 1, TITLE 16 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FELONIES AND MISDEMEANORS, BY ADDING SECTION 16-1-130 SO AS TO PROVIDE FOR AN INCREASE IN THE PENALTY FOR AN UNDERLYING OFFENSE IF THE OFFENDER INTENTIONALLY SELECTS THE PERSON AGAINST WHOM THE CRIME IS COMMITTED OR SELECTS THE PROPERTY THAT IS DAMAGED OR OTHERWISE AFFECTED BY THE CRIME IN WHOLE OR IN PART BECAUSE OF THE OFFENDER'S BELIEF OR PERCEPTION REGARDING THE RACE, COLOR, ETHNICITY, NATIONAL ORIGIN, ANCESTRY, RELIGION, GENDER, SEXUAL ORIENTATION, OR DISABILITY OF THAT PERSON OR THE OWNER OR OCCUPANT OF THAT PROPERTY, WHETHER OR NOT THE ACTOR'S BELIEF OR PERCEPTION WAS CORRECT; TO AMEND SECTION 16-3-20, AS AMENDED, RELATING TO THE PUNISHMENT FOR MURDER, SO AS TO ADD AS A STATUTORY AGGRAVATING CIRCUMSTANCE A MURDER IN WHICH THE OFFENDER INTENTIONALLY SELECTED THE MURDERED PERSON IN WHOLE OR IN PART BECAUSE OF THE OFFENDER'S BELIEF OR PERCEPTION REGARDING THE RACE, COLOR, ETHNICITY, NATIONAL ORIGIN, ANCESTRY, RELIGION, GENDER, SEXUAL ORIENTATION, OR DISABILITY OF THE MURDERED PERSON, WHETHER OR NOT THE OFFENDER'S BELIEF OR PERCEPTION WAS CORRECT; TO AMEND SECTION 20-7-7805, RELATING TO DISPOSITIONAL POWERS OF THE FAMILY COURT REGARDING CHILDREN ADJUDICATED DELINQUENT, SO AS TO AUTHORIZE THE COURT TO MAKE FINDINGS THAT A CHILD INTENTIONALLY SELECTED THE PERSON AGAINST WHOM AN OFFENSE IS COMMITTED OR SELECTED THE PROPERTY THAT IS DAMAGED OR OTHERWISE AFFECTED BY THE OFFENSE IN WHOLE OR IN PART BECAUSE OF THE CHILD'S BELIEF OR PERCEPTION REGARDING THE RACE, COLOR, ETHNICITY, NATIONAL ORIGIN, ANCESTRY, RELIGION, GENDER, SEXUAL ORIENTATION, OR DISABILITY OF THAT PERSON OR THE OWNER OR OCCUPANT OF THAT PROPERTY, WHETHER OR NOT THE CHILD'S BELIEF OR PERCEPTION WAS CORRECT AND ORDER A CHILD FOR WHOM SUCH FINDINGS ARE MADE, AS A CONDITION OF PROBATION, COMMITMENT OR OTHERWISE, TO PARTICIPATE IN AN EDUCATIONAL PROGRAM REGARDING CULTURAL DIVERSITY; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23, RELATING TO THE STATE LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-125 SO AS TO ESTABLISH A HATE CRIME RECORDS REPOSITORY; AND TO AMEND CHAPTER 3, TITLE 23, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING ARTICLE 11, THE "HATE CRIME OFFENDER REGISTRY."

01/23/01 Senate Introduced and read first time SJ-4

01/23/01 Senate Referred to Committee on Judiciary SJ-4