

103^D CONGRESS
1ST SESSION

H. R. 1152

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 1993

Mr. SCHUMER (for himself, Mr. SENSENBRENNER, Mr. SCHIFF, Mrs. SCHROEDER, Mr. CONYERS, Mr. SCOTT, Mr. GLICKMAN, Mr. HUGHES, Mr. BERMAN, Mrs. KENNELLY, Mr. LANTOS, Mr. DEUTSCH, Mr. WAXMAN, Mr. HASTINGS, Mr. HINCHEY, Mr. STUDDS, Mr. LAROCO, Mr. WILLIAMS, Mr. FROST, Mr. MATSUI, Mr. REYNOLDS, Mr. OWENS, Mr. APPLGATE, Mrs. MALONEY, Mr. BARRETT of Wisconsin, Mrs. LOWEY, Ms. PELOSI, Mr. DIXON, Mr. GUTIERREZ, Mr. MARTINEZ, Mrs. COLLINS of Illinois, Mr. TUCKER, Mr. PASTOR, Mr. RUSH, Mr. STARK, Mr. KLEIN, Mrs. MORELLA, Mr. WYDEN, Mr. TORRICELLI, Mr. WYNN, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

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 are hate crimes. In
7 carrying out this section, the United States Sentencing
8 Commission shall assure reasonable consistency with other
9 guidelines, avoid duplicative punishments for substantially
10 the same offense, and take into account any mitigating
11 circumstances which might justify exceptions.

12 (b) **DEFINITION.**—As used in this Act, the term
13 “hate crime” is a crime in which the defendant’s conduct
14 was motivated by hatred, bias, or prejudice, based on the
15 actual or perceived race, color, religion, national origin,
16 ethnicity, gender, or sexual orientation of another individ-
17 ual or group of individuals.

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