



General Assembly

February Session, 2004

Raised Bill No. 5657

LCO No. 2370

02370_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING HATE CRIMES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) For the purposes of
2 sections 53a-181j to 53a-181l, inclusive, of the general statutes, as
3 amended by this act:

4 (1) "Disability" means physical disability, mental disability, mental
5 retardation or learning disability;

6 (2) "Gender identity or expression" means a person's gender-related
7 identity, self-image, appearance or behavior, whether or not that
8 gender-related identity, self-image, appearance or behavior is different
9 from that traditionally associated with the person's assigned sex at
10 birth;

11 (3) "Learning disability" means a severe discrepancy between
12 educational performance and measured intellectual ability and a
13 disorder in one or more of the basic psychological processes involved
14 in understanding or in using language, spoken or written, which may
15 manifest itself in a diminished ability to listen, speak, read, write or

16 spell or to do mathematical calculations;

17 (4) "Mental disability" means one or more mental disorders, as
18 defined in the most recent edition of the American Psychiatric
19 Association's "Diagnostic and Statistical Manual of Mental Disorders";

20 (5) "Mental retardation" has the same meaning as provided in
21 section 1-1g of the general statutes; and

22 (6) "Physical disability" means any chronic physical handicap,
23 infirmity or impairment, whether congenital or resulting from bodily
24 injury, organic processes or changes or from illness, including, but not
25 limited to, blindness, epilepsy, deafness or hearing impairment or
26 reliance on a wheelchair or other remedial appliance or device.

27 Sec. 2. Section 53a-181j of the general statutes is repealed and the
28 following is substituted in lieu thereof (*Effective October 1, 2004*):

29 (a) A person is guilty of intimidation based on bigotry or bias in the
30 first degree when such person maliciously, and with specific intent to
31 intimidate or harass another person because of the actual or perceived
32 race, religion, ethnicity, [or] sexual orientation, disability or gender
33 identity or expression of such other person, causes serious physical
34 injury to such other person or to a third person.

35 (b) Intimidation based on bigotry or bias in the first degree is a class
36 C felony.

37 Sec. 3. Section 53a-181k of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2004*):

39 (a) A person is guilty of intimidation based on bigotry or bias in the
40 second degree when such person maliciously, and with specific intent
41 to intimidate or harass another person because of the actual or
42 perceived race, religion, ethnicity, [or] sexual orientation, disability or
43 gender identity or expression of such other person, does any of the
44 following: (1) Causes physical contact with such other person, (2)

45 damages, destroys or defaces any real or personal property of such
46 other person, or (3) threatens, by word or act, to do an act described in
47 subdivision (1) or (2) of this subsection, if there is reasonable cause to
48 believe that an act described in subdivision (1) or (2) of this subsection
49 will occur.

50 (b) Intimidation based on bigotry or bias in the second degree is a
51 class D felony.

52 Sec. 4. Section 53a-1811 of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective October 1, 2004*):

54 (a) A person is guilty of intimidation based on bigotry or bias in the
55 third degree when such person, with specific intent to intimidate or
56 harass another person or group of persons because of the actual or
57 perceived race, religion, ethnicity, [or] sexual orientation, disability or
58 gender identity or expression of such other person or persons: (1)
59 Damages, destroys or defaces any real or personal property, or (2)
60 threatens, by word or act, to do an act described in subdivision (1) of
61 this subsection or advocates or urges another person to do an act
62 described in subdivision (1) of this subsection, if there is reasonable
63 cause to believe that an act described in said subdivision will occur.

64 (b) Intimidation based on bigotry or bias in the third degree is a
65 class A misdemeanor.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>
Sec. 4	<i>October 1, 2004</i>

Statement of Purpose:

To include within the offense of intimidation based on bigotry or bias the act of a person intimidating or harassing another person because of the actual or perceived disability or gender identity or expression of such other person.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]