



General Assembly

January Session, 2013

Raised Bill No. 6572

LCO No. 3869



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING INTIMIDATION BASED ON BIGOTRY OR BIAS
AGAINST A HOMELESS PERSON.***

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

1 Section 1. Section 53a-181i of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 For the purposes of sections 53a-181j to 53a-181l, inclusive, as
4 amended by this act:

5 (1) "Disability" means physical disability, mental disability or
6 intellectual disability;

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

11 (3) "Homelessness" means lacking a fixed, regular and adequate
12 nighttime residence;

13 [(3)] (4) "Mental disability" means one or more mental disorders, as
14 defined in the most recent edition of the American Psychiatric
15 Association's "Diagnostic and Statistical Manual of Mental Disorders";

16 [(4)] (5) "Intellectual disability" has the same meaning as provided in
17 section 1-1g; and

18 [(5)] (6) "Physical disability" means any chronic physical handicap,
19 infirmity or impairment, whether congenital or resulting from bodily
20 injury, organic processes or changes or from illness, including, but not
21 limited to, blindness, epilepsy, deafness or hearing impairment or
22 reliance on a wheelchair or other remedial appliance or device.

23 Sec. 2. Section 53a-181j of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective October 1, 2013*):

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

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

33 Sec. 3. Section 53a-181k of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective October 1, 2013*):

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

42 of such other person, or (3) threatens, by word or act, to do an act
43 described in subdivision (1) or (2) of this subsection, if there is
44 reasonable cause to believe that an act described in subdivision (1) or
45 (2) of this subsection will occur.

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

48 Sec. 4. Section 53a-181l of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective October 1, 2013*):

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	53a-181i
Sec. 2	<i>October 1, 2013</i>	53a-181j
Sec. 3	<i>October 1, 2013</i>	53a-181k
Sec. 4	<i>October 1, 2013</i>	53a-181l

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 homelessness 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.]