

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

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# H. R. 1152

## AN ACT

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

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## 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:

*Clerk.*