

# ANTI-DEFAMATION LEAGUE STATE HATE CRIME STATUTORY PROVISIONS



State	Penalty Enhancement *1	Penalty Enhancement for Crimes Motivated by:						Civil Action	Data Collection *3	Police Training *4	Institutional Vandalism	Cross Burning
		Race, Religion, Ethnicity	Sexual Orientation	Gender	Gender Identity	Disability	Other *2					
Alabama	<a href="#">AL ST § 13A-5-13 (1993)</a>	✓				✓					<a href="#">AL ST § 13A-11-12 (1977)</a>	<a href="#">AL ST § 13A-6-28 (2003)</a>
Alaska	<a href="#">AK § 12.55.155 (1996)</a>	✓		✓		✓						
Arizona	<a href="#">AZ ST § 13-701</a>	✓	✓	✓		✓		<a href="#">AZ ST § 41-1750</a>	<a href="#">AZ ST § 41-1750</a>	<a href="#">AZ ST § 13-1604 (1994)</a>	<a href="#">AZ § 13-1707</a>	
Arkansas							<a href="#">AR ST § 16-123-106</a>				<a href="#">AR ST § 5-38-301</a> <a href="#">AR ST § 5-71-215</a>	
California	<a href="#">CA PENAL § 422.55</a> <a href="#">CA PENAL § 422.7</a> <a href="#">CA PENAL § 422.75</a>	✓	✓	✓	✓	✓	<a href="#">CAL. CIV. CODE § 52</a>	<a href="#">CA PENAL § 13023 (2005)</a>	<a href="#">CA PENAL § 13519.6 (2005)</a>	<a href="#">CA PENAL § 594.3 (2005)</a> <a href="#">CA PENAL § 11413</a>	<a href="#">CA PENAL § 11411 (1982)</a>	
Colorado	<a href="#">CO ST § 18-9-121 (1988)</a>	✓	✓		✓	✓	<a href="#">CO ST § 13-21-106.5 (1991)</a>				<a href="#">CO ST § 18-9-113</a>	
Connecticut	<a href="#">CT ST § 53a-40a</a> <a href="#">CT ST § 53a181(j-k)</a>	✓	✓	✓	✓	✓	<a href="#">CT ST § 52-571c (1995)</a>	<a href="#">CT ST § 29-7m</a>	<a href="#">CT ST § 4a-2c (1999)</a> <a href="#">CT ST § 7-294n (2001)</a>	<a href="#">CT ST § 46a-58 (1984)</a>	<a href="#">CT ST § 46a-58 (1984)</a>	<a href="#">CT ST § 46a-58 (1984)</a>
Delaware	<a href="#">DE ST TI 11 § 1304 (1995)</a>	✓	✓	✓	✓	✓					<a href="#">DE ST TI 11 § 1331</a>	<a href="#">DE ST TI 11 § 805</a>
DC	<a href="#">D.C. Code § 22-3703</a>	✓	✓	✓	✓	✓	<a href="#">D.C. Code § 22-3704</a>	<a href="#">D.C. Code § 22-3702</a>		<a href="#">D.C. Code § 22-3312.01 (1983)</a>	<a href="#">D.C. Code § 22-3312.02 (1983)</a>	<a href="#">D.C. Code § 22-3312.02 (1983)</a>
Florida	<a href="#">FL ST § 775.085 (1992)</a>	✓	✓			✓	<a href="#">FL ST § 775.085 (1992)</a>	<a href="#">FL ST § 877.19 (1996)</a>		<a href="#">FL ST § 806.13 (1995)</a>	<a href="#">FL ST § 876.17 (1951)</a>	
Georgia										<a href="#">GA ST § 16-7-26 (1968)</a>	<a href="#">GA ST § 16-11-37 (1974)</a>	
Hawaii	<a href="#">HI ST § 706-662 (1972)</a>	✓	✓	✓	✓	✓		<a href="#">HI ST § 846-52 (2001)</a> <a href="#">HI ST § 846-53 (2001)</a> <a href="#">HI ST § 846-54 (2001)</a>		<a href="#">HI ST § 711-1107 (1993)</a>		
Idaho	<a href="#">ID ST § 18-7902 (1983)</a> <a href="#">ID ST § 18-7903 (1983)</a>	✓					<a href="#">ID ST § 18-7903 (1983)</a>	<a href="#">ID ST § 67-2915</a>		<a href="#">ID ST § 18-7902 (1983)</a>	<a href="#">ID ST § 18-7902 (1983)</a>	
Illinois	<a href="#">IL ST CH 720 § 5/12-7.1 (1996)</a>	✓	✓	✓	✓	✓	<a href="#">IL ST CH 720 § 5/12-7.1 (1996)</a>	<a href="#">IL ST CH 20 § 2605/2605-390 (2000)</a>	<a href="#">IL ST CH 20 § 2605/2605-390 (2000)</a>	<a href="#">IL ST CH 720 § 5/21-1.2</a>	<a href="#">IL ST CH 720 § 5/12-7.6</a>	
Indiana	*							<a href="#">IN ST 10-13-3-38 (2003)</a>		<a href="#">IN ST § 35-43-1-2</a>		
Iowa	<a href="#">IA ST § 792A.2</a>	✓	✓	✓		✓	<a href="#">IA ST § 729A.5 (1992)</a>	<a href="#">IA ST § 692.15 (1996)</a>	<a href="#">IA ST § 729A.4 (1992)</a>			
Kansas	<a href="#">KS ST 21-6815</a>	✓	✓							<a href="#">KS ST 21-6205</a>		
Kentucky	<a href="#">KY ST § 532.031 (1998)</a>	✓	✓					<a href="#">KY ST § 17.1523 (2007)</a>	<a href="#">KY ST § 15.334</a>	<a href="#">KY ST § 525.110 (1992)</a> <a href="#">KY ST § 525.113 (1998)</a>		
Louisiana	<a href="#">LA R.S. 14:107.2 (B)(C)</a>	✓	✓	✓		✓	<a href="#">LA RS 9:2799.2 (1986)</a>	<a href="#">LA R.S. 15:1204.4 (1997)</a>	<a href="#">LA R.S. 40:2403</a>	<a href="#">LA R.S. 14:225</a>	<a href="#">LA R.S. 14:40.4 (2003)</a>	
Maine	<a href="#">ME ST T. 17-A § 1151 (1995)</a>	✓	✓	✓		✓	<a href="#">ME ST T. 5 § 4682</a>	<a href="#">ME ST T. 25 § 1544</a>		<a href="#">ME ST T. 17-A § 507 (1976)</a>		
Maryland	<a href="#">MD CRIM LAW § 10-307</a> <a href="#">MD CRIM LAW § 10-306</a>	✓	✓	✓	✓	✓		<a href="#">MD PUBLIC SAFETY § 2-307</a> <a href="#">MD CRIM LAW § 10-304</a>		<a href="#">MD CRIM LAW § 10-302 (2002)</a> <a href="#">MD CRIM LAW § 10-305 (2002)</a>		
Massachusetts	<a href="#">MA ST 265 § 39 (1997)</a>	✓	✓		✓	✓	<a href="#">MA ST 266 § 127B (1989)</a>	<a href="#">MA ST 22C § 34 (1991)</a> <a href="#">MA ST 22C § 35 (1991)</a>	<a href="#">MA ST 6 § 116B (2002)</a>	<a href="#">MA ST 266 § 98 (1960)</a> <a href="#">MA ST 266 § 127A (1989)</a>		
Michigan	<a href="#">MI ST 750.147b (1989)</a>	✓		✓			<a href="#">MI ST 750.147b (1989)</a>	<a href="#">MI ST 28.257a</a>		<a href="#">MI ST 750.147b (1989)</a>		
Minnesota	<a href="#">MN ST § 609.2231 (1989)</a>	✓	✓	✓	✓	✓	<a href="#">MN ST § 611A.79</a>	<a href="#">MN ST 626.5531</a>	<a href="#">MN ST § 626.8451</a>	<a href="#">MN ST § 609.595</a>		
Mississippi	<a href="#">MS ST § 99-19-301 (1994)</a>	✓		✓						<a href="#">MS ST § 97-17-39 (1993)</a>		

\*1. The following states also have statutes criminalizing interference with religious worship: AR, CA, DC, FL, ID, MD, MA, MI, MN, MS, MO, NV, NM, NY, NC, OK, RI, SC, SD, TN, VA, WV.

\*2. "Other" includes political affiliation (CA, DC, IA, LA, SC, UT, WV), age (CA, DC, FL, IA, HI, KS, LA, ME, MN, NE, NH, NM, NY, TN, TX, UT, VT); Utah also includes ancestry, familial status, homelessness, marital status, matriculation, national origin, service in the U.S. Armed Forces, status as an emergency responder; or status as a law enforcement officer, correctional officer, special function officer, or any other peace officer.

\*3. States with data collection statutes which include sexual orientation are AZ, CA, CT, DC, FL, HI, IL, IA, MD, MI, MN, NV, NM, OR, TX and WA; those which include gender are AZ, CA, DC, HI, IL, IA, MI, MN, NJ, RI, TX, and WA.

\*4 Texas statute only provides bias training for prosecuting attorneys.

\*ADL does not consider the law Indiana passed in April 2019 to be a hate crime law because it could encompass virtually any crime targeting a person for virtually any reason.

# ANTI-DEFAMATION LEAGUE STATE HATE CRIME STATUTORY PROVISIONS



State	Penalty Enhancement *1	Penalty Enhancement for Crimes Motivated by:						Civil Action	Data Collection *3	Police Training *4	Institutional Vandalism	Cross Burning
		Race, Religion, Ethnicity	Sexual Orientation	Gender	Gender Identity	Disability	Other *2					
Missouri	<a href="#">MO ST 557.035 (1999)</a>	✓	✓	✓	✓	✓		<a href="#">MO ST 537.523.1 (1988)</a>			<a href="#">MO ST 574.085</a>	<a href="#">MO ST 565.095 (2004)</a>
Montana	<a href="#">MT ST 45-5-222 (1982)</a>	✓									<a href="#">MT ST 45-5-221 (1989)</a>	<a href="#">MT ST 45-5-221 (1989)</a>
Nebraska	<a href="#">NE ST § 28-111</a>	✓	✓	✓		✓	✓	<a href="#">NE ST § 28-113 (1997)</a>	<a href="#">NE ST § 28-114</a>		<a href="#">NE ST § 28-111</a>	
Nevada	<a href="#">NV ST 193.1675 (1997)</a> <a href="#">NV ST 207.185 (1995)</a>	✓	✓	✓	✓	✓	✓	<a href="#">NRS 41.690</a>	<a href="#">NRS 179A.175</a>		<a href="#">NV ST 206.125</a>	
New Hampshire	<a href="#">NH ST § 651:6 (1995)</a>	✓	✓	✓		✓	✓					
New Jersey	<a href="#">NJ ST 2C:16-1 (2013)</a>	✓	✓	✓	✓	✓		<a href="#">NJ ST 2A:53A-21</a>	<a href="#">NJ ST 52:9DD-9</a>	<a href="#">NJ ST 52:9DD-9</a>	<a href="#">NJ ST 2C:33-9 (1979)</a> <a href="#">NJ ST 2C:33-11</a>	
New Mexico	<a href="#">NM ST § 31-18B-3 (1978)</a>	✓	✓	✓	✓	✓	✓		<a href="#">NM ST § 31-18B-4</a>	<a href="#">NM ST § 31-18B-5 (2003)</a>	<a href="#">NM ST § 30-15-4</a>	
New York	<a href="#">NY PEN § 485.05</a> <a href="#">NY PEN § 485.10 (2000)</a>	✓	✓	✓		✓	✓	<a href="#">NY CVR § 79-n</a>	<a href="#">NY EXC § 837 (2009)</a>		<a href="#">NY PEN § 240.31</a>	
North Carolina	<a href="#">NC ST § 14-3 (1993)</a> <a href="#">NC ST § 14-401.14</a> <a href="#">NC ST § 99D-1</a>	✓		✓				<a href="#">NC ST § 99D-1</a>			<a href="#">NC ST § 14-144 (1995)</a> <a href="#">NC ST § 14-62.2</a> <a href="#">NC ST § 14-49</a>	<a href="#">NC ST § 14-12.12</a>
North Dakota	<a href="#">ND ST § 12.1-14-04</a>	✓		✓								
Ohio	<a href="#">OH ST § 2927.12 (1987)</a>	✓						<a href="#">OH ST § 2307.70 (1990)</a>			<a href="#">OH ST § 2927.11 (1986)</a>	
Oklahoma	<a href="#">OK ST T. 21 § 850 (1992)</a>	✓				✓		<a href="#">OK ST T. 21 § 850 (1992)</a>	<a href="#">OK ST T. 21 § 850 (1992)</a>		<a href="#">OK ST T. 21 § 1765 (1921)</a>	<a href="#">OK ST T. 21 § 1174</a>
Oregon	<a href="#">OR ST § 166.165</a> <a href="#">OR ST § 166.155 (1989)</a>	✓	✓	✓	✓	✓		<a href="#">OR ST § 30.198</a>	<a href="#">OR ST § 181.550</a>	<a href="#">OR ST § 181A.470</a>	<a href="#">OR ST § 166.075 (1971)</a>	
Pennsylvania	<a href="#">18 PA ST § 2710 (1982)</a>	✓						<a href="#">42 PA ST § 8309 (1997)</a>	<a href="#">317 PA ST § 53.11</a>		<a href="#">18 PA ST § 5509</a> <a href="#">18 PA ST § 3307 (1994)</a>	
Rhode Island	<a href="#">RI ST § 12-19-38 (1998)</a>	✓	✓	✓		✓		<a href="#">RI ST § 9-1-35 (1985)</a>	<a href="#">RI ST § 42-28-46 (1994)</a>	<a href="#">RI ST § 42-28-2-8.1 (1993)</a>	<a href="#">RI ST § 11-44-31 (1986)</a>	
South Carolina											<a href="#">SC ST § 16-11-535</a>	<a href="#">SC ST § 16-7-120</a>
South Dakota	<a href="#">SD ST § 22-19B-1 (1993)</a>	✓						<a href="#">SD ST § 20-9-32</a>			<a href="#">SD ST § 22-19B-2</a>	<a href="#">SD ST § 22-19B-2</a>
Tennessee	<a href="#">TN ST § 40-35-114 (1989)</a>	✓	✓	✓		✓	✓	<a href="#">TN ST § 4-21-701</a>			<a href="#">TN ST § 39-17-311</a> <a href="#">TN ST § 39-14-301 (1989)</a>	
Texas	<a href="#">TX PENAL § 12.47 (1993)</a>	✓	✓	✓		✓	✓	<a href="#">TX CRIM PRO Art. 42.037</a>	<a href="#">TX GOVT § 411.046 (1991)</a>	<a href="#">TX GOVT § 22.111</a>	<a href="#">TX PENAL § 28.03</a> <a href="#">TX PENAL § 28.08</a>	
Utah	<a href="#">UT S.B. 103 (2019)</a>	✓	✓	✓	✓	✓	✓		<a href="#">UT Code § 53-10-202</a>			
Vermont	<a href="#">VT ST T. 13 § 1455 (1990)</a>	✓	✓	✓	✓	✓	✓	<a href="#">VT ST T. 13 § 1457</a> <a href="#">VT ST T. 13 § 1466 (1990)</a>				<a href="#">VT ST T. 13 § 1456 (1990)</a>
Virginia	<a href="#">VA ST § 18.2-57</a>	✓						<a href="#">VA ST § 8.01-42.1</a>	<a href="#">VA ST § 52-8.5 (1988)</a>		<a href="#">VA ST § 18.2-127</a> <a href="#">VA ST § 18.2-138</a>	<a href="#">VA ST § 18.2-423</a>
Washington	<a href="#">WA ST 9A.36.080 (1993)</a>	✓	✓	✓	✓	✓		<a href="#">WA ST 9A.36.083 (1993)</a>	<a href="#">WA ST 36.28A.030</a>	<a href="#">WA ST 43.101.290</a>	<a href="#">WA ST 9A.36.080</a> <a href="#">WA ST 9.61.160</a>	<a href="#">WA ST 9A.36.080 (1993)</a>
West Virginia	<a href="#">WV ST § 61-6-21 (1993)</a>	✓		✓			✓	<a href="#">WV ST § 5-11-20</a>				
Wisconsin	<a href="#">WI ST 939.645 (1996)</a>	✓	✓			✓		<a href="#">WI ST 895.443</a>			<a href="#">WI ST 943.012 (1996)</a>	
Wyoming												
<b>TOTALS</b>	<b>46</b>	<b>46</b>	<b>32</b>	<b>32</b>	<b>18</b>	<b>33</b>	<b>19</b>	<b>33</b>	<b>30</b>	<b>14</b>	<b>43</b>	<b>19</b>

\*1. The following states also have statutes criminalizing interference with religious worship: AR, CA, DC, FL, ID, MD, MA, MI, MN, MS, MO, NV, NM, NY, NC, OK, RI, SC, SD, TN, VA, WV.

\*2. "Other" includes political affiliation (CA, DC, IA, LA, SC, UT, WV), age (CA, DC, FL, IA, HI, KS, LA, ME, MN, NE, NH, NM, NY, TN, TX, UT, VT); Utah also includes ancestry, familial status, homelessness, marital status, matriculation, national origin, service in the U.S. Armed Forces, status as an emergency responder; or status as a law enforcement officer, correctional officer, special function officer, or any other peace officer.

\*3. States with data collection statutes which include sexual orientation are AZ, CA, CT, DC, FL, HI, IL, IA, MD, MI, MN, NV, NM, OR, TX and WA; those which include gender are AZ, CA, DC, HI, IL, IA, MI, MN, NJ, RI, TX, and WA.

\*4 Texas statute only provides bias training for prosecuting attorneys.

\*ADL does not consider the law Indiana passed in April 2019 to be a hate crime law because it could encompass virtually any crime targeting a person for virtually any reason.