

Ordinance Creating a Hate Intimidation Charge

October 10, 2023

Town Council

Hate Intimidation

- The adoption of the Hate Intimidation Ordinance will create a new chargeable offense.
 - The new offense is not a stand-alone offense but is an add-on to a primary charge where a bias against a protected class is a contributing cause for the crime.
 - Hate Intimidation can be charged when a person who violates Chapter 18 of the Town of Bluffton Code of Ordinances with the intent to intimidate a person or persons in whole or in part because of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, gender identity, physical or mental disability, or national origin of any person.
 - If determined, the perpetrator can be found guilty of the separate offense of hate intimidation.
 - The charge is punishable with a penalty of not more than \$500.00 and/or by imprisonment of no more than 30 days.
 - Sentences shall run consecutive to one another unless the court specifies on the record good cause why they should run concurrently.
- While we would hope that this charge would never be needed, it does set protections for our residents.
- This action would also show the State of South Carolina that this is a priority and deserves action at the state level.

Next Steps

- First Reading – September 12, 2023
- **Second Reading – October 10, 2023**

Proposed Motion

*“I move to [**Approve**] Second Reading of the Ordinance amending the Code of Ordinances for the Town of Bluffton by adding Section 18-137 titled Hate Intimidation.”*