

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025**

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**HOUSE BILL 961**

Short Title: Criminal Intent Sentence Enhancement. (Public)

Sponsors: Representatives Charles Smith, Davis, Balkcom, and Majeed (Primary Sponsors).

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

April 14, 2025

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH A SENTENCE ENHANCEMENT FOR FELONY OFFENSES  
COMMITTED BECAUSE OF A VICTIM'S CHARACTERISTIC AND TO MAKE A  
CONFORMING CHANGE TO AN AGGRAVATING FACTOR FOR AN OFFENSE  
COMMITTED BECAUSE OF A VICTIM'S CHARACTERISTIC.

The General Assembly of North Carolina enacts:

**PART I. TITLE OF ACT**

**SECTION 1.** This act shall be known as "The Hate Crimes Prevention Act."

**PART II. ESTABLISH SENTENCE ENHANCEMENT FOR FELONY OFFENSES  
COMMITTED BECAUSE OF A VICTIM'S CHARACTERISTIC**

**SECTION 2.** Part 2 of Article 81B of Chapter 15A of the General Statutes is amended by adding a new section to read:

**"§ 15A-1340.16H. Enhanced sentence for offense committed because of victim's characteristic.**

(a) If a person is convicted of a felony and it is found that the offense was committed against the victim because of the victim's race, ethnicity, color, religion, nationality, country of origin, or gender, then the person shall be sentenced at a felony class level one class higher than the principal felony for which the person was convicted.

(b) An indictment or information for the felony shall allege in that indictment or information the facts that qualify the offense for an enhancement under this section. One pleading is sufficient for all felonies that are tried at a single trial.

(c) The State shall prove the issue set out in subsection (a) of this section beyond a reasonable doubt during the same trial in which the defendant is tried for the felony unless the defendant pleads guilty or no contest to that issue. If the defendant pleads guilty or no contest to the felony but pleads not guilty to the issue set out in subsection (a) of this section, then a jury shall be impaneled to determine that issue.

**PART III. CONFORMING CHANGE TO AGGRAVATING FACTOR FOR AN  
OFFENSE COMMITTED BECAUSE OF A VICTIM'S CHARACTERISTIC**

**SECTION 3.** G.S. 15A-1340.16(d)(17) reads as rewritten:



"(17) The offense for which the defendant stands convicted was committed against a victim because of the victim's race, ethnicity, color, religion, nationality, or country of ~~origin~~origin, or gender."

**PART IV. EFFECTIVE DATE**

**SECTION 4.** This act becomes effective December 1, 2025, and applies to offenses committed on or after that date.