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Hate Crime Laws

No updates required since July 7, 2020

Alabama

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [AL Code 13A-5-13](#)

Alaska

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [AS 12.55.155](#)

Arizona

- Law enumerates sexual orientation and gender, but not gender identity
- See [ARS 13-701](#) and [ARS 41-1750](#)

Arkansas

- State lacks a hate crime law

California

- Law enumerates sexual orientation and gender identity
- See [CA Penal Code 422.55](#) and [CA Penal Code 422.56](#)

Colorado

- Law enumerates sexual orientation and transgender status (included in definition of sexual orientation)
- See [HB 05-1014 \(2005\)](#)

Connecticut

- Law enumerates sexual orientation and gender identity
- See [CT Penal Code 53a-181j-l](#)

Delaware

- Law enumerates sexual orientation and gender identity
- See [75 Del. Laws, c. 271, 1304](#)

District of Columbia

- Law enumerates sexual orientation and gender identity
- See [DC Code 22-3701](#)



Florida

- Law enumerates sexual orientation
- See [Fla. Stat. Ann. 75.085](#)

Georgia

- Law enumerates sexual orientation, sex, and gender, but not gender identity
- “Sex” was added to the bill after the June 2020 Supreme Court decision in *Bostock*, which affirmed that sex includes both sexual orientation and gender identity
- See [HB 426 \(2020\)](#)

Hawaii

- Law enumerates sexual orientation and gender identity
- See [Haw. Rev. Stat. Ann. 706-662](#)

Idaho

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [Idaho Statutes 18-7902](#)

Illinois

- Law enumerates sexual orientation and “gender-related identity”
- See [720 Ill. Comp. Laws Ann. 5/12-7.1](#)

Indiana

- Law enumerates sexual orientation
- See [S.B 198 \(2019\)](#)

Iowa

- Law enumerates sexual orientation
- See [Iowa Code 729.A](#)

Kansas

- Law enumerates sexual orientation
- See [Kansas Code 41-4716](#)

Kentucky

- Law enumerates sexual orientation
- See [KY Statutes 532.031](#)



Louisiana

- Law enumerates sexual orientation and gender, but not gender identity
- See [RS 14:107.2](#)

Maine

- Law enumerates sexual orientation and gender identity (included in definition of sexual orientation)
- See [5 MRS 4684-A](#) (1989 hate crimes law created; 1993 sexual orientation enumerated) and [5 MRS 4553\(9-C\)](#) for definition (2005 expanded to include gender identity)

Maryland

- Law enumerates sexual orientation and “gender-related identity” (included in definition of sexual orientation)
- See [MD Code 10-301](#) and [10-304](#)

Massachusetts

- Law enumerates sexual orientation and gender identity
- See [Mass. Gen. Laws 265-39](#)

Michigan

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [MCL 750.147b](#)

Minnesota

- Law enumerates sexual orientation and gender identity (included in definition of sexual orientation)
- See MN Statutes [609.2231](#) and [363A.03](#)

Mississippi

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [MS Code 99-19-301](#)

Missouri

- Law enumerates sexual orientation and gender identity (included in definition of sexual orientation)
- See MO Rev Statutes [557.035](#) and [556.061](#)

Montana

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [MCA 45-5-221](#)



Nebraska

- Law enumerates sexual orientation
- See [Nebraska Revised Statutes 28-110](#)

Nevada

- Law enumerates sexual orientation and gender identity
- See [NRS 193.1675](#)

New Hampshire

- Law enumerates sexual orientation and gender identity
- See RSA [651:6](#) and [HB608 \(2019\)](#)

New Jersey

- Law enumerates sexual orientation and gender identity
- See [NJ Rev Stat 2C:16-1](#)

New Mexico

- Law enumerates sexual orientation and gender identity
- See [NM Statutes 31-18B-3](#)

New York

- Law enumerates sexual orientation and gender identity
- See [NY Penal Code 240.30](#) and [A00747 \(2019\)](#)

North Carolina

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [NC Statute 14-3](#)

North Dakota

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [ND Code 12.4-14](#)

Ohio

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [OH Revised Code 2927.12](#)

Oklahoma

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [OK Statute 21-850](#)



Oregon

- Law enumerates sexual orientation and gender identity (included in definition of sexual orientation)
- See [ORS 166.155](#) and [SB 2 \(2007\)](#)

Pennsylvania

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [PA 2710](#)

Rhode Island

- Law enumerates sexual orientation and gender identity
- See [RI Gen. Laws 12-19-38](#) and [SB 2488 \(2012\)](#)

South Carolina

- State lacks a hate crime law

South Dakota

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [SD Codified Laws 22-19B-1](#)

Tennessee

- Law enumerates sexual orientation and gender, which state attorney general currently interprets to apply to transgender people
- See [HB989](#) (2000; sexual orientation) and [Opinion No. 19-01](#) (2019; gender identity)

Texas

- Law enumerates sexual preference
- See [Tex. Code of Criminal Procedure 42.014](#)

Utah

- Law enumerates sexual orientation and gender identity
- See [S.B. 103](#) (2019)

Vermont

- Law enumerates sexual orientation and gender identity
- See [13 V.S.A 1455](#)

Virginia

- Law enumerates sexual orientation and gender identity
- See [HB 276](#) (2020)



Washington

- Law enumerates sexual orientation and gender identity
- See [RCW 9A.36.070](#) and [49.60.040](#)

West Virginia

- Existing hate crime law does not enumerate sexual orientation or gender identity
- See [WV Code Ann. 61-6-21](#)

Wisconsin

- Law enumerates sexual orientation
- See [WI State 939.645](#)

Wyoming

- State lacks a hate crime law

U.S. Territories

All five U.S. territories are covered by federal hate crime law, which explicitly enumerates sexual orientation and gender identity. Only Puerto Rico and Guam were found to have passed hate crime laws inclusive of sexual orientation and gender identity.

American Samoa

- [Lacks a hate crime statute.](#)

Commonwealth of the Northern Mariana Islands

- [Lacks a hate crime statute.](#)

Guam

- [Lacks a hate crime statute.](#)

Puerto Rico

- Law enumerates sexual orientation and gender identity. See [Act No. 46 \(2002\)](#)

U.S. Virgin Islands

- Law enumerates sexual orientation and gender identity. See [The Hate-Motivated Crimes Act \(2014\)](#).

MAP relied, in part, on [“State Statutes Governing Hate Crimes” by Alison M. Smith and Cassandra L. Foley, Congressional Research Service, September 2010.](#)



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