

AN ORDINANCE

AMENDING SECTION 13-41 OF THE CODE OF ORDINANCES OF THE CITY OF
NORTH CHARLESTON REGARDING BIAS-BASED INTIMIDATION

Whereas, the State of South Carolina has yet to adopt a statewide Hate Crime statute; and

Whereas, the City of North Charleston is charged with protecting the health, safety, and
welfare of the community; and

Whereas, the City of North Charleston acknowledges that it must protect its residents from
intimidation based on bias or hate towards a person because of the actual or perceived ethnicity,
national origin, color, religion, sexual orientation, gender and gender identity or physical or mental
disability; and

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL, IN
COUNCIL ASSEMBLED, THAT SECTION 13-41 OF THE ORDINANCES OF THE CITY OF
NORTH CHARLESTON BE HEREBY AMENDED AS FOLLOWS:

Section 13-41. Hate / Bias-based intimidation.

(a) Offense defined. A person who commits a crime in violation of another section of this
chapter, or in violation of any State statute, within the City of North Charleston and with
the intent in whole or in part to cause harm, injury, or damage to the person or property of
the victim or to cause the victim to fear harm, injury, or damage to his person or property,
based on the actual or perceived ethnicity, national origin, color, religion, sexual
orientation, gender and gender identity or physical or mental disability of the victim is
guilty of the separate offense of bias-based intimidation.

(b) Penalties. A violation of this section shall be a misdemeanor punishable by a fine of not
more than \$500.00, and/or imprisonment for not more than thirty (30) days. The
sentence imposed must be consecutive to the sentence for the underlying criminal offense
unless the court articulates on the record the reasons why the sentences should run
concurrently. Any sentence may be suspended on completion of appropriate education,
counseling, or community service by the defendant as ordered by the court.

THE WITHIN ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS
RATIFICATION BY CITY COUNCIL.

Ordained in City Council this _____ day of
_____, in the Year of Our Lord, 2024,
and in the 247th year of Independence of the
United States of America.

REGINALD L. BURGESS, MAYOR

APPROVED AS TO FORM:

LEGAL COUNSEL

ATTEST:

COURTNAY HEYWARD, MUNICIPAL CLERK