

**§ 403. Sentencing.**

A person who is convicted of a specified offense under this chapter shall be subject to an extended term of imprisonment and/or penalty under this Section if the finder of fact finds beyond a reasonable doubt that the person has committed a hate crime as set forth in this chapter, notwithstanding any other provision of law:

(a) If the maximum penalty for the specified offense is one year or less, the penalty for a violation of this chapter shall be imprisonment for not more than one year or a fine of not more than \$2,000 or both.

(b) If the maximum penalty for the specified offense is five years or over one year, the penalty for a violation of this chapter shall be imprisonment for not more than five years or a fine of not more than \$5,000 or both.

(c) If the maximum penalty for the specified offense is more than five years but less than ten years, the penalty for a violation of this chapter shall be imprisonment for not more than seven years or a fine of not more than \$10,000 or both.

(d) If the maximum penalty for the specified offense is ten years or more, the penalty for a violation of this chapter shall be imprisonment for not more than ten years or a fine of not more than \$15,000 or both.

(e) In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a hate crime pursuant to this chapter, that the defendant complete a program, training session, or counseling session directed at hate crime prevention and education, where the court determines such program, training session or counseling session is appropriate and available.

(f) Any additional term imposed pursuant to this section shall be in addition to any other punishment provided by law.

**Source:** PL 22-32, § 2(104) (Jan. 31, 2023), modified.

**Commission Comment:** *Legislative Findings of 2023 Amendment.*— For Findings and Purpose of PL 22-32, see Commission comment to 6 CMC § 401.

*Modifications.*— In codifying PL 22-32, the Commission numbered this section, pursuant to 1 CMC § 3806(a), and substituted “this chapter” for “this Act” each time it appeared, pursuant to 1 CMC § 3806(d).