

JAN 24 2007

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# A BILL FOR AN ACT

RELATING TO GRAFFITI.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 708-820, Hawaii Revised Statutes, is  
2 amended by amending subsection (2) to read as follows:

3 "(2) Criminal property damage in the first degree is a  
4 class B felony[-]; provided that:

5 (a) If the offense under this section involves graffiti,  
6 as defined in section 577-3.5(a), the penalty for  
7 first time offenders shall be a fine of not less than  
8 \$1,500; and

9 (b) The penalty for repeat graffiti offenders shall be  
10 imprisonment for not less than six months."

11 SECTION 2. Section 708-821, Hawaii Revised Statutes, is  
12 amended by amending subsection (2) to read as follows:

13 "(2) Criminal property damage in the second degree is a  
14 class C felony[-]; provided that:

15 (a) If the offense under this section involves graffiti,  
16 as defined in section 577-3.5(a), the penalty for  
17 first time offenders shall be a fine of not less than  
18 \$1,000; and



1        (b) The penalty for repeat graffiti offenders shall be  
2                    imprisonment for not less than three months."

3        SECTION 3. Section 708-822, Hawaii Revised Statutes, is  
4 amended by amending subsection (2) to read as follows:

5        "(2) Criminal property damage in the third degree is a  
6 misdemeanor~~[-]~~; provided that:

7        (a) If the offense under this section involves graffiti,  
8                    as defined in section 577-3.5(a), the penalty for  
9                    first time offenders shall be a fine of not less than  
10                   \$500; and

11        (b) The penalty for repeat graffiti offenders shall be  
12                    imprisonment for not less than thirty days."

13        SECTION 4. Section 708-823, Hawaii Revised Statutes, is  
14 amended by amending subsection (2) to read as follows:

15        "(2) Criminal property damage in the fourth degree is a  
16 petty misdemeanor~~[-]~~; provided that:

17        (a) If the offense under this section involves graffiti,  
18                    as defined in section 577-3.5(a), the penalty for  
19                    first time offenders shall be a fine not less than  
20                    \$100; and

21        (b) The penalty for repeat graffiti offenders shall be  
22                    imprisonment for not less than ten days."



1 SECTION 5. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun, before its effective date.

4 SECTION 6. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY: Carl Johnson



**Report Title:**

Graffiti

**Description:**

Increases penalties for graffiti.

