
A BILL FOR AN ACT

RELATING TO GRAFFITI.

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

1 SECTION 1. The legislature finds that graffiti is a
2 persistent visual blight on schools, bus stops, freeway walls,
3 road signs, buildings, and other public and private property
4 statewide, despite efforts at eradication. The state department
5 of transportation estimates that it spends approximately \$25,000
6 each year to paint over approximately one hundred fifty thousand
7 square feet of graffiti. Persons who have committed an act
8 constituting graffiti, as defined by section 46-1.5(24)(C),
9 Hawaii Revised Statutes, may be required to pay for the actual
10 cost of having the damaged property repaired or replaced, be
11 ordered to perform community service work in an amount
12 commensurate with the costs of the damage for which they are
13 unable to pay, or be ordered to perform community service.

14 The legislature also finds that offenders who commit acts
15 of graffiti and have been sentenced to community service should
16 be afforded an additional option to repay the community for
17 their crime. The purpose of this Act is to establish a program



1 that will coordinate graffiti eradication efforts by which
2 graffiti offenders may discharge a community service sentence.

3 SECTION 2. There is established within the judiciary the
4 graffiti eradication sentencing program. The program shall:

5 (1) Collaborate with the district courts, circuit courts,
6 police departments, intake service centers, other law
7 enforcement agencies, and community organizations to
8 ensure the success of the program;

9 (2) Prescribe a course of action that a graffiti offender
10 shall undertake to discharge a community service
11 sentence;

12 (3) Coordinate the implementation, scheduling, and
13 monitoring of graffiti eradication activities for
14 graffiti offenders who have been sentenced to
15 community service; and

16 (4) Document the completion of graffiti eradication
17 activities for each graffiti offender participating in
18 the program.

19 The judiciary shall submit an annual report to the
20 legislature on the graffiti eradication sentencing program,
21 including any recommendations and proposed legislation, not



1 later than twenty days prior to the convening of each regular
2 session.





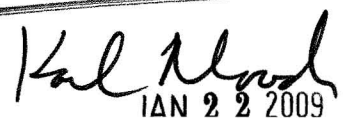
3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2009-2010 and the
6 same sum or so much thereof as may be necessary for fiscal year
7 2010-2011 for the establishment and implementation of the
8 graffiti eradication sentencing program.

9 The sums appropriated shall be expended by the judiciary
10 for the purposes of this Act.

11 SECTION 4. This Act shall take effect on July 1, 2009.

12

INTRODUCED BY: 





059.2

IAN 2 2 2009

Report Title:

Graffiti; Community Service; Sentencing; Judiciary

Description:

Establishes the graffiti eradication sentencing program within the judiciary, to allow a person who has committed an act of graffiti to discharge a community service sentence through graffiti eradication activities. Makes appropriation.

