
A BILL FOR AN ACT

RELATING TO GRAFFITI.

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

1 SECTION 1. Section 708-823.6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§708-823.6[+] **Graffiti; sentencing.** (1) Whenever a
4 person is sentenced under section 708-821, 708-822, 708-823, or
5 708-823.5, for an offense in which the damage is caused by
6 graffiti, in addition to any penalty prescribed by those
7 sections, the person shall be required to:

8 (a) Remove the graffiti from the damaged property within
9 thirty days of sentencing, if it has not already been
10 removed and where consent from the respective property
11 owner or owners has been obtained; and

12 (b) For a period of time not to exceed two years from the
13 date of sentencing, along with any other person or
14 persons who may be sentenced under this section for
15 the same property, perform community service removing,
16 within fourteen days, any graffiti applied to other
17 property within [~~one hundred~~] _____ yards of the
18 site of the offense for which the person was



1 sentenced, where consent from the respective property
 2 owner or owners has been obtained, even if the
 3 property was damaged by another person[-];
 4 provided that removal of graffiti shall not place the person or
 5 others in physical danger nor inconvenience the public.

6 (2) For purposes of this section, "graffiti" means any
 7 unauthorized drawing, inscription, figure, or mark of any type
 8 intentionally created by paint, ink, chalk, dye, or similar
 9 substances."

10 SECTION 2. This Act does not affect rights and duties that
 11 matured, penalties that were incurred, and proceedings that were
 12 begun before its effective date.

13 SECTION 3. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

16

INTRODUCED BY:

[Handwritten signatures and names, including "Ray Hammons", "John M. ...", and "Mansur" are present, along with a large signature at the bottom right.]



Report Title:

Graffiti; Sentencing

Description:

Limits the imposition of the penalty of removal of graffiti to cases where the removal would not endanger people or inconvenience the public. Increases the area within which a graffiti removal penalty may be selected, from one hundred to yards from the offense site.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

