



GOV. MSG. NO. 1259

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 23, 2011

The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

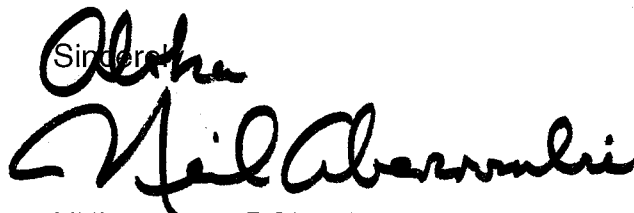
The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 23, 2011, the following bill was signed into law:

HB555 HD1 SD1 CD1

RELATING TO GRAFFITI.  
**Act 156 (11)**

*Sincerely,*  


NEIL ABERCROMBIE  
Governor, State of Hawaii

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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 708-823.6, 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~~[7]~~ 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~~] two hundred fifty 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) In lieu of performing graffiti removal pursuant to  
7   subsection (1), the court may require a person to perform one  
8   hundred hours of community service if the government agency that  
9   is responsible for supervising the graffiti removal lacks the  
10   necessary resources to ensure the person's compliance with  
11   subsection (1).

12           ~~[(2)]~~ (3) For purposes of this section, "graffiti" means  
13   any unauthorized drawing, inscription, figure, or mark of any  
14   type intentionally created by paint, ink, chalk, dye, or similar  
15   substances."

16           SECTION 2. This Act does not affect rights and duties that  
17   matured, penalties that were incurred, and proceedings that were  
18   begun before its effective date.

19           SECTION 3. Statutory material to be repealed is bracketed  
20   and stricken. New statutory material is underscored.

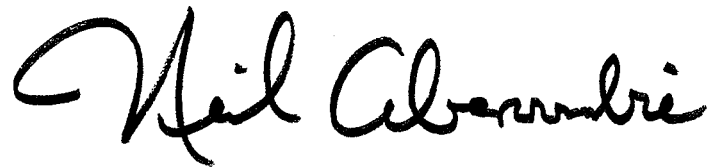
21           SECTION 4. This Act shall take effect upon its approval.



H.B. NO. 555  
H.D. 1  
S.D. 1  
C.D. 1

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APPROVED this 23 day of JUN , 2011



GOVERNOR OF THE STATE OF HAWAII