

Honolulu, Hawaii

FEB 13 2017

RE: S.B. No. 791  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 791 entitled:

"A BILL FOR AN ACT RELATING TO PROPERTY DAMAGE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the offense of criminal property damage by graffiti as a misdemeanor; and
- (2) Include the offense of criminal property damage by graffiti as an offense in which the graffiti sentencing law applies.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that graffiti is occurring more frequently in Hawaii. Recent incidents include graffiti on garage doors, homes, and other edifices in Ewa Beach as well as graffiti at Moanalua High School that resulted in twelve students being banned from participating in their graduation ceremony. This measure helps to deter incidents of graffiti by establishing a separate offense for property damage caused by graffiti.

Your Committee has amended this measure by:



- (1) Changing the penalty imposed for the offense of criminal property damage by graffiti to a petty misdemeanor, rather than misdemeanor, and the term of imprisonment to an unspecified period of days, rather than months, to be consistent with the penalty imposed for the substantially similar offense of criminal property damage in the fourth degree;
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 791, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 791, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,

  
GILBERT S.C. KEITH-AGARAN, Chair



