

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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D

HOUSE BILL 552
PROPOSED COMMITTEE SUBSTITUTE H552-PCS30305-SA-24

Short Title: Graffiti Vandalism.

(Public)

Sponsors:

Referred to:

April 6, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE CRIMINAL OFFENSE OF GRAFFITI VANDALISM.
3 The General Assembly of North Carolina enacts:

4 SECTION 1. Article 22 of Chapter 14 of the General Statutes is amended by
5 adding a new section to read:

6 "§ 14-127.1. Graffiti vandalism.

7 (a) As used in this section, "graffiti vandalism" means to unlawfully write or scribble
8 on, mark, paint, deface, or besmear the walls of (i) any real property, whether public or private,
9 including cemetery tombstones and monuments, (ii) any public building or facility as defined in
10 G.S. 14-132, or (iii) any statue or monument situated in any public place, by any type of pen,
11 paint, or marker regardless of whether the pen or marker contains permanent ink, paint, or
12 spray paint.

13 (b) Except as otherwise provided in this section, any person who engages in graffiti
14 vandalism is guilty of a Class 1 misdemeanor. A person convicted of a Class 1 misdemeanor
15 under this subsection shall be fined a minimum of five hundred dollars (\$500.00) and, if
16 community or intermediate punishment is imposed, shall be required to perform 24 hours of
17 community service.

18 (c) Any person who violates subsection (a) of this section shall be guilty of a Class H
19 felony if any of the following apply:

20 (1) The cost to repair damage caused by the violation is in excess of one
21 thousand dollars (\$1,000).

22 (2) The person has two or more prior convictions for violation of this section.

23 (3) The person commits five or more violations of this section within a 60-day
24 period."

25 SECTION 2. G.S. 14-132(d) reads as rewritten:

26 "(d) Any~~Unless~~ the conduct is covered under some other provision of law providing
27 greater punishment, any person who violates any provision of this section is guilty of a Class 2
28 misdemeanor."

29 SECTION 3. This act becomes effective December 1, 2015, and applies to
30 offenses committed on or after that date.



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