

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 552

Short Title: Graffiti Vandalism. (Public)

Sponsors: Representatives McGrady, Glazier, B. Brown, and J. Bell (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Judiciary II, if favorable, Finance.

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 required
16 to perform 24 hours of community service.

17 (c) Any person who violates subsection (a) of this section shall be guilty of a Class I
18 felony if either of the following applies:

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

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

22 (d) If a person is convicted of five or more violations of this section in a single session
23 of district court or in a single week of superior court, and at least five of the offenses occurred
24 within a 60-day period, the court shall consolidate the offenses for judgment and the
25 consolidated offenses shall be punishable as a Class I felony."

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

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

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

