
A BILL FOR AN ACT

RELATING TO SALE OF GRAFFITI MATERIALS.

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

1 SECTION 1. Some areas of the State experience problems
2 with graffiti, a crime that is sometimes associated with social
3 disorder, gang activity, and an increase in other crimes.

4 Law enforcement agencies categorize graffiti under the
5 general term of vandalism, which is the wilfull or malicious
6 destruction, injury, disfigurement, or defacement of any public
7 or private property, real or personal, without consent of the
8 owner or person having custody or control of the property.

9 Hawaii law enforcement authorities made 8,693 arrests for
10 individuals suspected of vandalism from 2003-2012, according to
11 a report by the Department of the Attorney General.

12 The legislature finds that anti-vandalism laws and
13 ordinances that mandate the selling of aerosol spray paint
14 containers in monitored locations that are only accessible to
15 customers with assistance from an employee have been effective
16 in reducing vandalism in New York state; Costa Mesa and
17 Palmdale, California; Portland, Oregon; and Lake Worth, Florida.



1 The purpose of this Act is to reduce vandalism in the State
2 by requiring all persons offering aerosol spray paint containers
3 for sale to restrict public access to those items in order to
4 reduce theft and prevent improper access to one of the primary
5 tools of graffiti vandalism.

6 SECTION 2. Chapter 489J, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§489J- Sale and display of aerosol spray paint (a)

10 All persons offering aerosol spray paint containers for sale
11 shall restrict access to those items from the public by placing
12 them behind a locked counter, cabinet, or other storage facility
13 so that access to them cannot be gained without the assistance
14 of an authorized employee, agent, or other authorized
15 representative of such person.

16 (b) Nothing herein shall preclude the storage or display
17 of aerosol spray paint containers in an area viewable by the
18 public as long as such items are not accessible to the public
19 without authorized assistance.

20 (c) As used in this section, "aerosol spray paint" means
21 an aerosolized paint product, including a clear or pigmented
22 lacquer or finish."



1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect on July 1, 2014.

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INTRODUCED BY:

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JAN 22 2014

Report Title:

Aerosol Paint Containers; Graffiti

Description:

Requires all persons offering aerosol spray paint containers for sale to restrict public access to the containers so that access to them cannot be gained without employee assistance. Effective July 1, 2014.

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