

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

SESSION LAW 2015-72
HOUSE BILL 552

AN ACT TO CREATE THE CRIMINAL OFFENSE OF GRAFFITI VANDALISM.

The General Assembly of North Carolina enacts:

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

"§ 14-127.1. Graffiti vandalism.

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

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

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

- (1) The person has two or more prior convictions for violation of this section.
- (2) The current violation was committed after the second conviction for violation of this section.
- (3) The violation resulting in the second conviction was committed after the first conviction for violation of this section."

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

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

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

In the General Assembly read three times and ratified this the 2nd day of June, 2015.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 10:00 a.m. this 11th day of June, 2015

