

Department of Planning and Budget
2005 Fiscal Impact Statement

1. Bill Number HB 1877

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron McDougle

3. Committee Passed both houses

4. Title Graffiti offenses

5. Summary/Purpose:

Under current law, any locality may enact an ordinance making the willful and malicious damaging or defacement of public or private buildings or facilities a Class 1 misdemeanor, if the damage to the private property is less than \$1,000. The proposed legislation would remove any damage value criteria and require a mandatory fine of \$500 if the defacement were (i) more than 20 feet off the ground, (ii) on a railroad or highway overpass, or (iii) committed for the benefit of, or in association with, a criminal street gang.

6. Fiscal Impact: Final. See Item 8.

7. Budget amendment necessary: No.

8. Fiscal implications:

Because the bill would not affect the amount of time a person could be incarcerated for committing the relevant offense, it would have no impact on prison or jail populations. Furthermore, although the legislation requires a mandatory fine of \$500 for any covered offense, this provision would have no fiscal impact on the state. The legislation deals with the permitted provisions of local ordinances and any fines levied for violation of local ordinances are deposited into the treasury of the locality enacting the ordinance, not the state treasury.

9. Specific agency or political subdivisions affected:

Counties, cities, and town

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/03/05 / rwh

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