
A BILL FOR AN ACT

RELATING TO URBAN ART.

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

1 SECTION 1. The legislature finds that throughout the
2 State, graffiti is a problem in most communities. Graffiti
3 appears on public and private property, causes visual blight,
4 and results in unsightly scenery. Individuals engaging in
5 graffiti typically tag buildings, walls, bus stops, bridges,
6 underpasses, construction sites, concrete columns, postal mail
7 boxes, signs, trees, vehicles, and other surfaces able to
8 accommodate their marks and messages. In some cases, taggers
9 place themselves in dangerous situations that could lead to
10 injury or death. To date, the problem persists despite
11 community efforts to combat graffiti.

12 The legislature finds that if individuals are given an
13 opportunity to create certain types of urban art on public
14 property, these individuals may be less likely to create
15 graffiti illegally.

16 The purpose of this Act is to create a pilot program for
17 the creation of urban art under the direction of the state
18 foundation on culture and the arts.



1 SECTION 2. (a) There is established a pilot program for
2 the creation of urban art under the direction of the state
3 foundation on culture and the arts.

4 (b) The state foundation on culture and the arts shall
5 establish procedures that permit individuals to create urban art
6 on property owned in fee simple by the State. The procedures
7 shall address the following, at a minimum:

8 (1) Selection of the individuals to participate;

9 (2) Requirements as to the type and size of the urban art
10 and art materials to be used;

11 (3) Rights to copyrights of urban art;

12 (4) Limitations on access to state property, including
13 safety and security considerations; and

14 (5) Any other considerations that the state foundation on
15 culture and the arts deems appropriate.

16 (c) The state foundation on culture and the arts shall
17 consult with the historic preservation division of the
18 department of land and natural resources to review any proposal
19 to create urban art to determine if the urban art may cause an
20 adverse effect to a historic property, pursuant to the review
21 process for public projects under section 6E-8, Hawaii Revised
22 Statutes. If the historic preservation division determines that



1 a proposal to create urban art would adversely affect a historic
2 or cultural property, the urban art shall not be permitted.

3 (d) The pilot project to create urban art shall be
4 repealed on June 30, 2015.

5 (e) The state foundation on culture and the arts shall
6 report to the legislature no later than twenty days prior to the
7 convening of the regular session of 2015 on the status of the
8 pilot project to create urban art and any recommendation to
9 extend the project on a permanent basis.

10 (f) For the purposes of this section:

11 "Urban art" means any painting or artistic work composed of
12 arrangements of color or black and white. Urban art includes
13 mosaics, murals, stencil art, and other art media and
14 techniques. Urban art excludes a painting or work placed on a
15 structure that is erected for the sole or primary purpose of
16 signage.

17 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Urban Art; State Foundation on Culture and the Arts

Description:

Establishes a pilot program for the creation of urban art under the direction of the state foundation on culture and the arts; repeals 6/30/2015; requires report to 2015 legislature. Effective 7/1/2050. (SD2)

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