
A BILL FOR AN ACT

RELATING TO CRIMINAL MISCHIEF.

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

1 SECTION 1. The legislature finds that existing criminal
2 law makes it difficult to prosecute certain low level property
3 offenses such as egging, graffiti, and vandalism. Instances
4 such as these often do not have an established property value
5 damage as determined by HRS 708-801. Nevertheless, these
6 instances should not leave victims without recourse. Other
7 jurisdictions have addressed this issue by creating a separate
8 offense for so-called, "criminal mischief". This offense
9 considers both pecuniary loss as well as substantial
10 inconvenience to the property owner. Accordingly, the purpose
11 of this Act is to establish the offense of criminal mischief.

12 SECTION 2. Chapter 708, Hawaii Revised Statutes, is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 "§708- Criminal Mischief. (1) A person commits the
16 offense of criminal mischief if by means other than fire, the
17 person intentionally, knowingly, or recklessly:



1 (a) Tampers with the tangible property of another without
2 the other's consent and causes pecuniary loss or
3 substantial inconvenience to the other or a third
4 person; or

5 (b) Makes markings, including inscriptions, slogans,
6 drawings, or paintings, on the tangible property of
7 another without the other's consent.

8 (2) Criminal mischief is a petty misdemeanor."

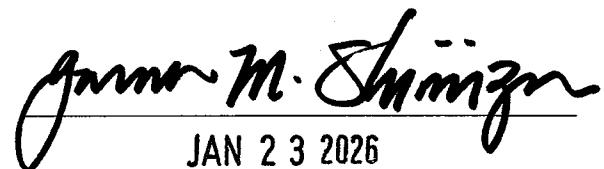
9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:


JAN 23 2026



H.B. NO. 2043

Report Title:

Criminal Mischief; Vandalism; Egging; Property Offense; Crime

Description:

Establishes the offense of criminal mischief as a petty misdemeanor for low level property offenses.

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