**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑11‑775 SO AS TO PROHIBIT THE POSSESSION OF CERTAIN ITEMS COMMONLY USED TO PRODUCE GRAFFITI ON PROPERTY OWNED OR MANAGED BY THE DEPARTMENT OF NATURAL RESOURCES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 7, Chapter 11, Title 16 of the 1976 Code is amended by adding:

“Section 16‑11‑775. (A) It is unlawful to possess on property owned or managed by the Department of Natural Resources aerosol spray paint cans, broad-tipped indelible markers, or similar devices commonly used to produce illegal graffiti vandalism, as defined in Section 16‑11‑770.

(B) A person who violates this section is guilty of a misdemeanor, and, upon conviction:

(1) for a first offense, must be fined not more than one thousand dollars or imprisoned not more than thirty days, or both;

(2) for a second offense within ten years of a first offense, must be fined not more than two thousand five hundred dollars or imprisoned not more than one year, or both; and

(3) for a third or subsequent offense within ten years of a first offense, must be fined not more than three thousand dollars or imprisoned not more than three years, or both.”

SECTION 2. This act takes effect upon approval by the Governor.

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