

**TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH**

**LEGISLATURE**

**IN THE HOUSE OF REPRESENTATIVES**

\_\_\_\_\_ Session, 2023

H. B. 23-14

**A BILL FOR AN ACT**

To amend the punishment for the crime of vandalism to include the option of confinement.

**BE IT ENACTED BY THE 23<sup>RD</sup> NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:**

1           **Section 1. Purpose.** The purpose of the Act is to provide for the option of  
2 punishment by confinement for the offense of vandalism. In PL 21-18, the  
3 Legislature created the offense of vandalism to address the proliferation of crimes  
4 involving the destruction of public and private property. Previously, that crime was  
5 addressed as criminal mischief, which included the optional punishment of  
6 confinement. However, the new law left out punishment ranges for confinement.

7           Without the option of confinement, vandalism has increased. Furthermore,  
8 the courts are unable to impose an appropriate sentence in cases that justify  
9 confinement or address noncompliance with probation with the option of  
10 confinement. This Act establishes the option of confinement for the offense of  
11 vandalism, the length of confinement depending on the value of the pecuniary loss

1 from the property vandalized by the defendant. The courts are left with the  
2 discretion to impose a proper punishment that may include confinement if  
3 appropriate.

4 **Section 2. Amendment.** 6 CMC §1805 is hereby amended to read as  
5 follows:

6 “§ 1805. Vandalism

7 (a) It shall be unlawful for any person and/or persons to vandalize any public  
8 or private property.

9 (b) Any person and/or persons in violation of subsection (a) shall be  
10 punished as follows:

11 (1) If the pecuniary loss from the property vandalized is valued at  
12 \$20,000 or more, by imprisonment for not more than 10 years; or

13 (2) If the pecuniary loss from the property vandalized is valued at  
14 least \$2500 but less than \$20,000, by imprisonment for not more than five  
15 years; or

16 (3) If the pecuniary loss from the property vandalized is valued less  
17 than \$2500, or is not subject to value, by imprisonment for not more than  
18 one year; and/or:

19 (c) In addition to subsection (b), the following Fines/Community Service  
20 penalties shall be as follows:

1           (1) First Offense: A fine of not less than \$250 but not more than  
2           \$1,000 and 40 hours of community service.

3           (2) Second Offense: A fine of not less than \$1,000 but not more than  
4           \$5,000 and 80 hours of community service.

5           (3) Third and any subsequent offense: A fine of not less than \$5,000  
6           but not more than \$10,000 and 120 hours of community service after time  
7           served.”

8           **Section 3. Severability.** If any provisions of this Act or the application of  
9           any such provision to any person or circumstance should be held invalid by a court  
10          of competent jurisdiction, the remainder of this Act or the application of its  
11          provisions to persons or circumstances other than those to which it is held invalid  
12          shall not be affected thereby.

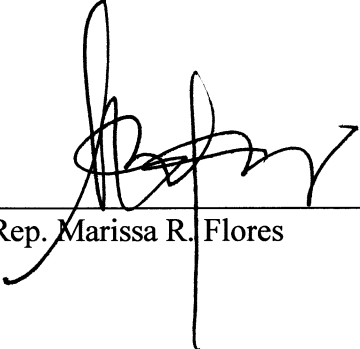
13          **Section 4. Savings Clause.** This Act and any repealer contained herein  
14          shall not be construed as affecting any existing right acquired under contract or  
15          acquired under statutes repealed or under any rule, regulation, or order adopted  
16          under the statutes. Repealers contained in this Act shall not affect any proceeding  
17          instituted under or pursuant to prior law. The enactment of the Act shall not have  
18          the effect of terminating, or in any way modifying, any liability, civil or criminal,  
19          which shall already be in existence on the date this Act becomes effective.

20          **Section 5. Effective Date.** This Act shall take effect upon its approval by  
21          the Governor, or its becoming law without such approval.

Prefiled: 2/2/2023

Date: 2-2-2023

Introduced by:

  
Rep. Marissa R. Flores

Reviewed for Legal Sufficiency by:

 2-2-23  
House Legal Counsel