

2022 Regular Session

HOUSE BILL NO. 397

BY REPRESENTATIVE BISHOP

ENVIRONMENT/LITTERING: Separates funding sources for environmental education and litter abatement

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AN ACT

To amend and reenact R.S. 30:2531(C)(4) and 2532(Section heading) and (A)(5), R.S. 32:412(A)(1), (2), (5), and (6), and (B)(1), (2), and (7)(e)(i)(cc) and (ee) and (ii)(cc) and (ee), R.S. 47:463.43(Section heading), (A), and (D), and R.S. 56:10(B)(15), to enact R.S. 56:10(B)(17), and to repeal R.S. 30:2532(B), relative to funding for environmental education and litter abatement; to separate the litter abatement and education account into an account for litter abatement and an account for environmental education; to redirect existing fines, fees, and donations dedicated for these purposes into the separate accounts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:2531(C)(4) and 2532(Section heading) and (A)(5) are hereby amended and reenacted to read as follows:

§2531. Intentional littering prohibited; criminal penalties; simple littering prohibited; civil penalties; special court costs

* * *

C. Whoever violates the provisions of this Section shall pay special court costs of one hundred dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:

* * *

1 (4) Twenty-five dollars shall be paid to the state treasury for credit to the
2 Litter Abatement ~~and Education~~ Account.

3 * * *

4 §2532. Collection and distribution of fines; litter abatement ~~and education~~ account

5 A. All fines collected under the provisions of this Part shall be payable as
6 follows:

7 * * *

8 (5) The remainder shall be paid to the state treasury for credit to the litter
9 abatement ~~and education~~ account.

10 * * *

11 Section 2. R.S. 32:412(A)(1), (2), (5), and (6), and (B)(1), (2), and (7)(e)(i)(cc) and
12 (ee) and (ii)(cc) and (ee) are hereby amended and reenacted to read as follows:

13 §412. Amount of fees; credit or refund; duration of license; veteran designation;
14 disabled veteran designation; university logo; "I'm a Cajun" designation;
15 needs accommodation designation; autism spectrum disorder designation;
16 disbursement of funds; renewal by mail or electronic commerce of Class "D"
17 or "E" drivers' licenses; disposition of certain fees; exception

18 A.(1) Every applicant for a Class "D" driver's license, or for a renewal of a
19 Class "D" driver's license, except those bona fide residents of the city of New
20 Orleans, shall pay for such basic license a fee of forty-two dollars and seventy-five
21 cents. Eleven dollars and fifteen cents of the fee shall be paid to the Louisiana State
22 Police Retirement System Fund. One dollar and fifty cents of the fee shall be
23 forwarded by the department to the litter abatement ~~and education~~ account which is
24 created ~~with~~ within the Conservation Fund through the provisions of R.S.
25 56:10(B)(15).

26 (2) The fee for Class "D" driver's licenses, or renewal of a Class "D" driver's
27 license, issued to bona fide residents of the city of New Orleans shall be fifty-four
28 dollars, fifteen dollars of which shall be payable by the department to the board of
29 trustees of the police pension fund of the city of New Orleans. One dollar and

1 eighty-four cents of the fee shall be paid to the Louisiana State Police Retirement
2 System Fund. One dollar and fifty cents of the fee shall be forwarded by the
3 department to the litter abatement ~~and education~~ account which is created within the
4 Conservation Fund through the provisions of R.S. 56:10(B)(15).

5 * * *

6 (5) Every applicant for a Class "E" driver's license, or for a renewal of a
7 Class "E" driver's license, except those bona fide residents of the city of New
8 Orleans, shall pay for such basic license a fee of twenty dollars and twenty-five
9 cents, which shall be the cost of such basic license. Five dollars and sixty-three cents
10 of the fee shall be paid to the Louisiana State Police Retirement System Fund. One
11 dollar and fifty cents of the fee shall be forwarded by the department to the litter
12 abatement ~~and education~~ account which is created within the Conservation Fund
13 through the provisions of R.S. 56:10(B)(15).

14 (6) The fee for a Class "E" driver's license, or renewal of a Class "E" driver's
15 license, issued to bona fide residents of the city of New Orleans shall be twenty
16 dollars and twenty-five cents, three dollars and seventy-five cents of which shall be
17 paid by the department to the board of trustees of the police pension funds of the city
18 of New Orleans. Three dollars and seventy-five cents of the fee shall be paid to the
19 Louisiana State Police Retirement System Fund. One dollar and fifty cents of the fee
20 shall be forwarded by the department to the litter abatement ~~and education~~ account
21 which is created within the Conservation Fund through the provisions of R.S.
22 56:10(B)(15).

23 * * *

24 B.(1) Every applicant for a Class "A", "B", or "C" commercial driver's
25 license, or for a renewal of a basic Class "A", "B", or "C" commercial driver's
26 license, except for those bona fide residents of the city of New Orleans, shall pay for
27 such basic license a fee of sixty-one dollars and fifty cents. Sixteen dollars and
28 twenty cents of the fee shall be paid to the Louisiana State Police Retirement System
29 Fund. One dollar and fifty cents of the fee shall be forwarded by the department to

1 the litter abatement ~~and education~~ account which is created within the Conservation
2 Fund through the provisions of R.S. 56:10(B)(15).

3 (2) The fee for a basic Class "A", "B", or "C" commercial driver's license,
4 or for the renewal of a basic Class "A", "B", or "C" commercial driver's license,
5 issued to bona fide residents of the city of New Orleans shall be seventy-six dollars
6 and fifty cents, fifteen dollars of which fee shall be paid by the department to the
7 board of trustees of the police pension fund of the city of New Orleans. Fifteen
8 dollars of the fee shall be paid to the Louisiana State Police Retirement System Fund.
9 One dollar and fifty cents of the fee shall be forwarded by the department to the litter
10 abatement ~~and education~~ account which is created with the Conservation Fund
11 through the provisions of R.S. 56:10(B)(15).

12 * * *

13 (7)

14 * * *

15 (e)(i)

16 * * *

17 (cc) Seventy-five cents of the fee shall be paid to the office of state police.
18 Two dollars and seventy-five cents of the fee shall be paid to the Louisiana State
19 Police Retirement System Fund. One dollar and fifty cents of the fee shall be
20 forwarded by the department to the litter abatement ~~and education~~ account which is
21 created within the Conservation Fund through the provisions of R.S. 56:10(B)(15).

22 * * *

23 (ee) Five dollars and fifty-six cents of the fee shall be paid to the Louisiana
24 State Police Pension and Retirement System Fund. One dollar and fifty cents of the
25 fee shall be forwarded by the department to the litter abatement ~~and education~~
26 account which is created within the Conservation Fund through the provisions of
27 R.S. 56:10(B)(15).

28 * * *

1 (ii)

2 * * *

3 (cc) One dollar and fifty cents of the fee shall be paid to the Board of
4 Trustees of the Police Pension Fund of the city of New Orleans. One dollar and fifty
5 cents of the fee shall be paid to the State Police Pension and Retirement Fund. One
6 dollar and fifty cents of the fee shall be forwarded by the department to the litter
7 abatement ~~and education~~ account which is created within the Conservation Fund
8 through the provisions of R.S. 56:10(B)(15).

9 * * *

10 (ee) Seven dollars and fifty cents of the fee shall be payable by the
11 department to the board of trustees of the police pension fund of the city of New
12 Orleans. Ninety-two cents of the fee shall be paid to the State Police Pension and
13 Retirement Fund. One dollar and fifty cents of the fee shall be forwarded by the
14 department to the litter abatement ~~and education~~ account which is created within the
15 Conservation Fund through the provisions of R.S. 56:10(B)(15).

16 * * *

17 Section 3. R.S. 47:463.43(Section heading), (A), and (D) are hereby amended and
18 reenacted to read as follows:

19 §463.43. Special license plates; environmental education ~~and litter reduction section~~
20 account

21 A. The Department of Public Safety and Corrections shall establish a special
22 prestige motor vehicle license plate for environmental education by the Department
23 of Wildlife and Fisheries for the purposes provided in R.S. 56:10(B)~~(15)~~(17). The
24 license plates shall be restricted to use on passenger cars, pickup trucks, vans, and
25 recreational vehicles.

26 * * *

27 D. The department shall collect the donation for each license plate and
28 forward the donation as provided in Subsection C of this Section to the Department
29 of Wildlife and Fisheries. The one dollar handling fee as provided in Subsection C

1 of this Section shall be retained by the department to offset the administrative costs.
 2 The funds received by the Department of Wildlife and Fisheries pursuant to this
 3 Section shall be deposited in the ~~litter abatement and~~ environmental education
 4 account which is created within the Conservation Fund through the provisions of
 5 R.S. 56:10(B)~~(15)~~(17), and used solely for the purposes of that fund.

6 * * *

7 Section 4. R.S. 56:10(B)(15) is hereby amended and reenacted and R.S.
 8 56:10(B)(17) is hereby enacted to read as follows:

9 §10. Annual report to governor; estimate of proposed expenditures; particular funds;
 10 limitations on purposes for use of monies in particular funds and accounts;
 11 warrants; vouchers; surplus funds

12 * * *

13 B.

14 * * *

15 (15)(a) There is hereby created within the Conservation Fund a special
 16 account known as the "litter abatement ~~and education~~ account" which shall consist
 17 of ~~donations collected from the sale of the environmental education license plate~~
 18 ~~provided for in R.S. 47:463.43~~; revenue received by the Conservation Fund from the
 19 Department of Public Safety and Corrections, office of motor vehicles as provided
 20 in R.S. 32:412; revenue received by the Conservation Fund from fines for violations
 21 of the provisions of Part I of Chapter 21 of Subtitle II of Title 30 as provided in R.S.
 22 30:2531 and 2532; funds from public or private donations and any other source
 23 which may specify deposit to this account; and any remaining balance in the litter
 24 abatement and education account as of August 1, 2022. The revenues shall be
 25 subject to the same requirements as provided for other revenues placed in the
 26 Conservation Fund in Paragraph (1) of this Subsection.

27 (b) The funds in this account shall be used solely for the following:
 28 (i) ~~To develop, review, approve, and implement a plan for statewide~~
 29 ~~environmental education.~~

Proposed law retains the special prestige license plate and the donation required for the plate, but directs the portions dedicated to the litter abatement and education account under present law to the environmental education account instead.

Present law creates a litter abatement and education account within the state treasury and directs fines from littering violations into this account.

Proposed law repeals present law.

(Amends R.S. 30:2531(C)(4) and 2532(Section heading) and (A)(5), R.S. 32:412(A)(1), (2), (5), and (6), and (B)(1), (2), and (7)(e)(i)(cc) and (ee) and (ii)(cc) and (ee), R.S. 47:463.43(Section heading), (A), and (D), and R.S. 56:10(B)(15); Adds R.S. 56:10(B)(17); Repeals R.S. 30:2532(B))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Make technical changes.