
HOUSE COMMITTEE AMENDMENTS

2025 Regular Session

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 173 by Representative Illg

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 56:1688(C)" and before the comma "," insert "and to enact "R.S. 56:1688.1"

AMENDMENT NO. 2

On page 1, line 3, after "statewide;" and before "and" insert "to provide for an administrative hearing process for litter citations;"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" and before "to" insert "and R.S. 56:1688.1 is hereby enacted"

AMENDMENT NO. 4

On page 1, after line 14, insert the following:

"§1688.1. Civil penalties; assessment; administrative hearing

A. The Department of Culture, Recreation and Tourism is authorized to bring a civil action to recover the penalties established for violation of R.S. 30:2531(A) or (B) in accordance with the Administrative Procedure Act.

B. The department may elect to enforce the provisions of R.S. 30:2531 by adjudicatory hearing held in the parish where the defendant is domiciled or where the violation occurred. The defendant may waive the adjudicatory hearing upon payment of the fine.

C.(1) In any case in which the department elects to proceed by adjudicatory hearing, the defendant shall be notified in writing at the time and place set for hearing. Written notice for the hearing may be included on any citation or summons issued in connection with the violation or may be provided by certified letter mailed to the defendant at his last known address. The summons or written notice shall constitute notice to the defendant that failure to appear at the specified time and location shall result in the assessment of civil penalties and costs associated with the hearing. Notice given by certified mail in accordance with this Subsection shall be deemed effective fifteen days after the notice is postmarked and mailed.

(2) Either party may appeal a ruling of the administrative hearing officer to the district court in the judicial district in which the offense occurred.

(3) Once all appeals deadlines have expired, a ruling of the administrative law judge shall be considered final for the purposes of debt recovery or collection.

D. Any person who is assessed a civil penalty shall also be liable for attorney fees and costs of the adjudicatory hearing.

E. Any recovery of civil penalties shall be deposited into the litter abatement account within the Conservation Fund.

F. The secretary of the Department of Culture, Recreation and Tourism shall promulgate and enforce the rules and regulations necessary to carry out the provisions of this Section."