
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

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 56:1688(C)" and before the comma "," insert "and to enact R.S.
3 56:1688.1"

4 AMENDMENT NO. 2

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

7 AMENDMENT NO. 3

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

10 AMENDMENT NO. 4

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

- 12
- 13 "§1688.1. Civil penalties; assessment; administrative hearing
- 14 A. The Department of Culture, Recreation and Tourism is authorized to
- 15 bring a civil action to recover the penalties established for violation of R.S.
- 16 30:2531(A) or (B) in accordance with the Administrative Procedure Act.
- 17 B. The department may elect to enforce the provisions of R.S. 30:2531 by
- 18 adjudicatory hearing held in the parish where the defendant is domiciled or where
- 19 the violation occurred. The defendant may waive the adjudicatory hearing upon
- 20 payment of the fine.
- 21 C.(1) In any case in which the department elects to proceed by adjudicatory
- 22 hearing, the defendant shall be notified in writing at the time and place set for
- 23 hearing. Written notice for the hearing may be included on any citation or summons
- 24 issued in connection with the violation or may be provided by certified letter mailed
- 25 to the defendant at his last known address. The summons or written notice shall
- 26 constitute notice to the defendant that failure to appear at the specified time and
- 27 location shall result in the assessment of civil penalties and costs associated with the
- 28 hearing. Notice given by certified mail in accordance with this Subsection shall be
- 29 deemed effective fifteen days after the notice is postmarked and mailed.
- 30 (2) Either party may appeal a ruling of the administrative hearing officer to
- 31 the district court in the judicial district in which the offense occurred.
- 32 (3) Once all appeals deadlines have expired, a ruling of the administrative
- 33 law judge shall be considered final for the purposes of debt recovery or collection.
- 34 D. Any person who is assessed a civil penalty shall also be liable for attorney
- 35 fees and costs of the adjudicatory hearing.
- 36 E. Any recovery of civil penalties shall be deposited into the litter abatement
- 37 account within the Conservation Fund.
- 38 F. The secretary of the Department of Culture, Recreation and Tourism shall
- 39 promulgate and enforce the rules and regulations necessary to carry out the
- 40 provisions of this Section."