2022 Regular Session

HOUSE BILL NO. 1044

BY REPRESENTATIVE MIGUEZ

ENVIRONMENT/LITTERING: Provides relative to intentional littering

1	AN ACT		
2	To amend and reenact R.S. 30:2531(A)(2)(b), relative to the offense of intentional littering		
3	from a vehicle; to provide for additional penalties for second and subsequent		
4	intentional littering offenses; and to provide for related matters.		
5	Be it enacted by the Legislature of Louisiana:		
6	Section 1. R.S. 30:2531(A)(2)(b) is hereby amended and reenacted to read as		
7	follows:		
8	§2531. Intentional littering prohibited; criminal penalties; simple littering		
9	prohibited; civil penalties; special court costs		
10	A. Intentional littering.		
11	* * *		
12	(2) Whoever violates the provisions of this Subsection shall:		
13	* * *		
14	(b)(i) Upon second conviction, be fined nine hundred dollars and sentenced		
15	to serve twenty hours of community service in a litter abatement work program as		
16	approved by the court.		
17	(ii) In addition to penalties otherwise provided in this Subparagraph, a		
18	person convicted or held liable for a second or subsequent offense of littering from		
19	a vehicle under this Subsection may, upon motion of the prosecuting district		
20	attorney, have his vehicle seized and impounded, and held until such time as the		

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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1 offender has paid the fine as required by this Paragraph when the offender is the

2 registered owner of the vehicle being operated at the time of the offense.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Creates the penalty of impounding vehicles for persons convicted of held liable for second and subsequent offenses of littering from a vehicle.

Present law prohibits intentional littering.

Present law provides for the following penalties:

- (1) Upon first conviction, be fined \$500 and sentenced to serve eight hours of community service in a litter abatement work program as approved by the court.
- (2) Upon second conviction, be fined \$900 and sentenced to serve 20 hours of community service in a litter abatement work program as approved by the court.
- (3) Upon third or subsequent conviction, be fined \$2,500, have his motor vehicle driver's license suspended for one year, and be sentenced to serve eighty hours of community service in a litter abatement work program as approved by the court, or all or any combination of the penalties provided in present law.

<u>Proposed law</u> retains <u>present law</u> and adds that a person convicted or held liable for a second or subsequent offense of intentionally littering from a vehicle may, upon motion of the prosecuting district attorney, have his vehicle seized and impounded, and held until such time as he has paid the fine as required in <u>present law</u> when the offender is the registered owner of the vehicle being operated at the time of the offense.

(Amends R.S. 30:2531(A)(2)(b))