HLS 22RS-1907 ENGROSSED

AN ACT

2022 Regular Session

1

HOUSE BILL NO. 1044

BY REPRESENTATIVE MIGUEZ

ENVIRONMENT/LITTERING: Provides relative to intentional littering

3	from a vehicle; to provide for additional penalties for second and subsequent
5	
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
0	A. Intentional littering.
1	* * *
12	(2) Whoever violates the provisions of this Subsection shall:
13	* * *
4	(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.

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

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

3 \* \* \*

## **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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Miguez

**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))