

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 374** HLS 22RS 841

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action: **W/ SEN FLOOR AMD**

Proposed Amd.:

Sub. Bill For.:

Date: May 25, 2022	1:04 PM	Author: BEAULLIEU
Dept./Agy.: Department of Environmental Quality		Analyst: Kimberly Fruge
Subject: Fines for Generator Identification Number and Gross Littering		

ENVIRONMENT/WASTE TIRES EGF SEE FISC NOTE LF RV See Note Page 1 of 1
Increases the fine for gross littering of tires and failure to obtain a generator identification number

Present law provides that the penalty for failure to obtain a generator identification number is a fine between \$300 and \$500, or imprisonment for six months, or both. Proposed law increases the fine to \$5,000.

Present law establishes penalties for gross littering. Proposed law adds the following specific penalties for gross littering involving tires:
- First conviction - \$1,800 and the cost of removal, transportation, and processing of tires
- Second conviction - Between \$4,000 and \$10,000 and the cost of removal, transportation, and processing of tires
- Third conviction - Between \$6,000 and \$20,000 and the cost of removal, transportation, and processing of tires

Proposed law authorizes the secretary of the Department of Environmental Quality to use the annual remaining balance in the Waste Tire Management Dedicated Fund Account for the cleanup of abandoned waste tires and waste tire processing facilities.

EXPENDITURES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

REVENUES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. Proposed law adjusts the fines associated with failure to have a generator identification number and establishes penalties for gross littering of tires. The department indicates that implementation of this measure can be accomplished with current staff and resources.

To the extent the Secretary of the Department of Environmental Quality chooses to use the annual remaining balance of the Waste Tire Management Dedicated Fund Account to cleanup abandoned waste tires or abandoned waste tire processing facilities, the department may realize an increase in expenditures. The amount of monies potentially authorized for this purpose are indeterminable at this time.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local funds revenue as a result of the increase in fines imposed for not holding a valid generator identification number and the establishment of fines for the gross littering of tires. Penalties for not holding a valid generator identification number is set at \$5,000, imprisonment, or both. Penalties for the gross littering of tires varies by conviction and ranges between \$1,800 and \$20,000, plus the cost of removal, transportation, and processing of tires. Because the number of persons who may be convicted under the proposed law is unknown, revenue derived from this source is indeterminable. However, if these fines are levied for these crimes, they would accrue to local governing authorities.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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Interim Deputy Fiscal Officer