

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



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

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> June 7, 2022	9:12 AM	<b>Author:</b> BEAULLIEU
<b>Dept./Agy.:</b> Department of Environmental Quality		<b>Analyst:</b> Kimberly Fruge
<b>Subject:</b> Fines for Generator Identification Number and Gross Littering		

ENVIRONMENT/WASTE TIRES

EN SEE FISC NOTE LF RV

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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 requires the department cover the cost of labor, transportation, and the disposal of tires on any property--that is located within a historic district in a municipality within a population between 28,000 and 29,000--containing more than 1,000 tires by September 30, 2022.

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

  

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

**EXPENDITURE EXPLANATION**

Proposed law will likely result in an indeterminable, but potentially significant, increase in expenditures in FY 23 for tire clean-up required by proposed law. Proposed law requires the department cover the cost of labor, transportation, and the disposal of tires on any property--that is located within a historic district in a municipality within a population between 28,000 and 29,000--containing more than 1,000 tires. The Department of Environmental Quality cannot ascertain which or how many properties would qualify for a tire clean-up under proposed law. The costs will depend on the number of properties that match the description outlined in proposed law and the number of tires being removed. Thus any accurate estimate of costs is indeterminable at this time. The Legislative Fiscal Office assumes the department will use funds from the Waste Tire Management Fund to cover these costs.

**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

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*

**Evan Brasseaux**  
**Interim Deputy Fiscal Officer**