

2017 Regular Session

HOUSE BILL NO. 77

BY REPRESENTATIVE BERTHELOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ENVIRONMENT/LITTERING: Provides with respect to penalties for the offense of littering

1 AN ACT

2 To amend and reenact R.S. 30:2531(A)(2)(b) and (B)(2)(b) and 2531.1(D)(1), relative to
3 littering; to provide for criminal and civil penalties; to provide for community
4 service; 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) and (B)(2)(b) and 2531.1(D)(1) are hereby
7 amended and reenacted to read as follows:

8 §2531. Intentional littering prohibited; criminal penalties; simple littering
9 prohibited; civil penalties; special court costs

10 A.

11 * * *

12 (2) Whoever violates the provisions of this Subsection shall:

13 * * *

14 (b) Upon second conviction, be fined ~~one thousand~~ nine hundred dollars and
15 sentenced to serve ~~sixteen~~ twenty hours of community service in a litter abatement
16 work program as approved by the court.

17 * * *

18 B.

19 * * *

Proposed law changes fines for intentional, simple, and gross littering violations as follows:

	1st Offense	2nd Offense	3rd and Subsequent
Present Intentional Littering	\$500	\$1,000	\$2,500
<u>Proposed Intentional Littering</u>	\$500	\$900*	\$2,500
Present Simple Littering	\$150	\$1,000 (and Sub.)	N/A
<u>Proposed Simple Littering</u>	\$150	\$900 (and Sub.)*	N/A
Present Gross Littering	\$1,000 - \$2,000	\$2,000 - \$5,000	\$3,000 - 10,000
<u>Proposed Gross Littering</u>	\$900*	\$2,000 - \$5,000	\$3,000 - 10,000

* Indicates change in fine.

Present law provides for nonpecuniary penalties for litter violations in the form of community service in a litter abatement program. In the case of a third and subsequent violation of intentional and gross littering, nonpecuniary penalties include suspension of driver's licenses and for gross litter, up to 30 days imprisonment.

Proposed law changes community service for intentional, simple, and gross littering violations as follows:

	1st Offense	2nd Offense	3rd and Subsequent
Prior Intentional Littering	8 hrs	16 hrs	80 hrs
<u>New Intentional Littering</u>	8 hrs	20 hrs*	80 hrs
Prior Simple Littering	8 hrs	16 hrs	N/A
<u>New Simple Littering</u>	8 hrs	20 hrs*	N/A
Prior Gross Littering	8 hrs	24 hrs	48 hrs
<u>New Gross Littering</u>	16 hrs*	24 hrs	48 hrs

* Indicates change in time.

(Amends R.S. 30:2531(A)(2)(b) and (B)(2)(b) and 2531.1(D)(1))