
DIGEST

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HB 77 Original

2017 Regular Session

Berthelot

Abstract: Increases the community service for certain littering offenses and decreases fines for those same offenses.

Present law creates and defines four types of littering as follows:

- (1) Intentional littering prohibits intentional disposal of litter on public or private property or the waters of the state. Violations impose criminal penalties.
- (2) Simple littering prohibits the disposal of litter and allowing the disposal of litter on public or private property or on waters of the state. Violations impose civil penalties.
- (3) Gross littering prohibits the intentional disposal of large items of litter such as furniture, appliances, auto parts, tires, equipment, building materials, roofing nails, or bags or boxes of household or office garbage on public or private property or on waters of the state.
- (4) Commercial littering prohibits the disposal of litter from industrial, commercial, mining, or agricultural operations on public or private property or waters of the state.

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
Proposed Intentional Littering	\$500	\$900*	\$2,500
Present Simple Littering	\$150	\$1,000 (and Sub.)	N/A
Proposed Simple Littering	\$150	\$900 (and Sub.)*	N/A
Present Gross Littering	\$1,000 - \$2,000	\$2,000 - \$5,000	\$3,000 - 10,000
Proposed Gross Littering	\$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
New Intentional Littering	8 hrs	20 hrs*	80 hrs
Prior Simple Littering	8 hrs	16 hrs	N/A
New Simple Littering	8 hrs	20 hrs*	N/A
Prior Gross Littering	8 hrs	24 hrs	48 hrs
New Gross Littering	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))