

RÉSUMÉ DIGEST

ACT 128 (HB 77)

2017 Regular Session

Berthelot

New law increases the community service for certain littering offenses and decreases fines for those same offenses.

Existing 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.

Existing law provides for fines and 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 littering includes up to 30 days imprisonment.

Prior law provided for fines of \$1,000 and 16 hours of community service for second offense intentional littering and second offense simple littering.

New law changes the fines for second offense intentional littering and second offense simple littering from \$1,000 to \$900 and increases the community service for those offenses from 16 hours to 20 hours.

Prior law provided for a fine ranging from \$1,000 to \$2,000 and 8 hours of community service for first offense gross littering.

New law changes the fine for first offense gross littering from a range of \$1,000 to \$2,000 to \$900 and increases the community service from 8 hours to 16 hours.

Effective August 1, 2017.

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