
HOUSE COMMITTEE AMENDMENTS

Substitute for Original House Bill No. 910 by Representative Connick as proposed by the House Committee on Natural Resources and Environment

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To amend and reenact R.S. 30:2522(4) and to enact 2531(A)(3), relative to litter; to provide for the definition of litter; to provide for penalties for littering cigarettes and cigarette butts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:2522(4) is hereby amended and reenacted and 2531(A)(3) is hereby enacted to read as follows:

§2522. Definitions

As used in this Part, the following words have the meanings ascribed to them unless the context requires otherwise:

* * *

(4) "Litter" means all waste material except as provided and defined in R.S. 30:2173(2), including but not limited to disposable packages, containers, sand, gravel, rubbish, cans, bottles, refuse, garbage, trash, cigarettes, cigarette butts, debris, dead animals, furniture or appliances, automotive parts including but not limited to tires and engines, trailers, boats and boating accessories, tools and equipment, and building materials, roofing nails, or other discarded materials of any kind and description. While being used for or distributed in accordance with their intended uses, litter shall not include political pamphlets, handbills, religious tracts and newspapers, and other similar printed materials, the unsolicited distribution of which is protected by the Constitution of the United States or the Constitution of Louisiana. Litter shall not include agricultural products that are being transported from the harvest or collection site to a processing or market site if reasonable measures are taken to prevent the agricultural product from leaving the transporting vehicle. Litter shall also not include recyclable cardboard being transported in compressed bundles

to processing facilities. "Agricultural product" as used in this definition means all crops, livestock, poultry, and forestry, and all aquacultural, floracultural, horticultural, silvicultural, and viticultural products.

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

A.

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(3) Whoever violates the provisions of this Subsection by the intentional disposal or permitting the disposal of cigarettes or cigarette butts from a motor vehicle shall:

(a) Upon first conviction, be fined three hundred dollars and sentenced to serve sixteen hours of community service in a litter abatement work program as approved by the court.

(b) Upon second conviction, be fined seven hundred dollars and sentenced to serve thirty two hours of community service in a litter abatement work program as approved by the court.

(c) Upon third or subsequent conviction, be fined one thousand five hundred dollars, have his motor vehicle driver's license suspended for one year, and be sentenced to serve one hundred sixty hours of community service in a litter abatement work program as approved by the court, or all or any combination of the penalties provided by this Subparagraph.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Abstract: Provides for enhanced penalties for littering cigarettes or cigarette butts from a motor vehicle.

Proposed law adds cigarettes and cigarette butts to the definition of litter.

Proposed law increases the penalties for the intentional disposal or permitting the disposal of cigarettes or cigarette butts from a motor vehicle as follows:

- (a) Changes the first offense from \$250 and 8 hours of community service to \$300 and 16 hours of community service in a litter abatement program.
- (b) Changes the second offense from \$500 and 16 hours of community service to \$700 and 32 hours of community service in a litter abatement program.
- (c) Changes the third and subsequent from \$1,250 and 80 hours of community service to \$1,500 and 160 hours of community service in a litter abatement program; retains suspension of driver's license for one year.

(Amends R.S. 30:2522(4), Adds 2531(A)(3))