

ACT No. 100

HOUSE BILL NO. 1075 (Substitute for House Bill No. 910 by Representative Connick)

BY REPRESENTATIVES CONNICK, ADAMS, BARRAS, BERTHELOT, BILLIOT, STUART BISHOP, CARMODY, CARTER, GAROFALO, GISCLAIR, HAVARD, HOFFMANN, IVEY, LAMBERT, NANCY LANDRY, LEOPOLD, LOPINTO, MONTOUCET, SCHEXNAYDER, SEABAUGH, STOKES, WHITNEY, AND WILLMOTT AND SENATOR PEACOCK

1 AN ACT

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

6 Be it enacted by the Legislature of Louisiana:

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

9 §2522. Definitions

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

12 * * *

13 (4) "Litter" means all waste material except as provided and defined in R.S.
14 30:2173(2), including but not limited to disposable packages, containers, sand,
15 gravel, rubbish, cans, bottles, refuse, garbage, trash, cigarettes, cigarette butts, cigars,
16 cigarillos, cigar or cigarillo tips, debris, dead animals, furniture or appliances,
17 automotive parts including but not limited to tires and engines, trailers, boats and
18 boating accessories, tools and equipment, and building materials, roofing nails, or
19 other discarded materials of any kind and description. While being used for or

1 distributed in accordance with their intended uses, litter shall not include political
 2 pamphlets, handbills, religious tracts and newspapers, and other similar printed
 3 materials, the unsolicited distribution of which is protected by the Constitution of the
 4 United States or the Constitution of Louisiana. Litter shall not include agricultural
 5 products that are being transported from the harvest or collection site to a processing
 6 or market site if reasonable measures are taken to prevent the agricultural product
 7 from leaving the transporting vehicle. Litter shall also not include recyclable
 8 cardboard being transported in compressed bundles to processing facilities.
 9 "Agricultural product" as used in this definition means all crops, livestock, poultry,
 10 and forestry, and all aquacultural, floracultural, horticultural, silvicultural, and
 11 viticultural products.

12 * * *

13 §2531. Intentional littering prohibited; criminal penalties; simple littering
 14 prohibited; civil penalties; special court costs

15 A.

16 * * *

17 (3) Whoever violates the provisions of this Subsection by the intentional
 18 disposal or permitting the disposal of cigarettes, cigarette butts, cigars, cigarillos, or
 19 cigar or cigarillo tips from a motor vehicle shall:

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

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

26 (c) Upon third or subsequent conviction, be fined one thousand five hundred
 27 dollars, have his motor vehicle driver's license suspended for one year, and be
 28 sentenced to serve eighty hours of community service in a litter abatement work

1 program as approved by the court, or all or any combination of the penalties provided
2 by this Subparagraph.

3 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____