

2025 Regular Session

HOUSE BILL NO. 173

BY REPRESENTATIVE ILLG

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

ENVIRONMENT/LITTERING: Provides relative to expanding the jurisdiction of state park wardens to enforce litter laws statewide

1 AN ACT

2 To amend and reenact R.S. 56:1688(C) and to enact R.S. 56:1688.1, relative to the authority
3 of state park wardens; to authorize state park wardens to enforce litter laws
4 statewide; to provide for an administrative hearing process for litter citations; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 56:1688(C) is hereby amended and reenacted and R.S. 56:1688.1 is
8 hereby enacted to read as follows:

9 §1688. Park wardens; powers and duties

10 * * *

11 C. State park wardens shall have specific authority and responsibility to
12 enforce all rules and regulations of the Department of Culture, Recreation and
13 Tourism, office of state parks, and all laws of the state of Louisiana, within the limits
14 of their jurisdiction. State park wardens shall have the authority to enforce litter laws
15 statewide and to issue citations for littering by mail or in person.

16 * * *

17 §1688.1. Civil penalties; assessment; administrative hearing

18 A. The Department of Culture, Recreation and Tourism is authorized to
19 bring a civil action to recover the penalties established for violation of R.S.
20 30:2531(A) or (B) in accordance with the Administrative Procedure Act.

1 B. The department may elect to enforce the provisions of R.S. 30:2531 by
2 adjudicatory hearing held in the parish where the defendant is domiciled or where
3 the violation occurred. The defendant may waive the adjudicatory hearing upon
4 payment of the fine.

5 C.(1) In any case in which the department elects to proceed by adjudicatory
6 hearing, the defendant shall be notified in writing at the time and place set for
7 hearing. Written notice for the hearing may be included on any citation or summons
8 issued in connection with the violation or may be provided by certified letter mailed
9 to the defendant at his last known address. The summons or written notice shall
10 constitute notice to the defendant that failure to appear at the specified time and
11 location shall result in the assessment of civil penalties and costs associated with the
12 hearing. Notice given by certified mail in accordance with this Subsection shall be
13 deemed effective fifteen days after the notice is postmarked and mailed.

14 (2) Either party may appeal a ruling of the administrative hearing officer to
15 the district court in the judicial district in which the offense occurred.

16 (3) Once all appeals deadlines have expired, a ruling of the administrative
17 law judge shall be considered final for the purposes of debt recovery or collection.

18 D. Any person who is assessed a civil penalty shall also be liable for attorney
19 fees and costs of the adjudicatory hearing.

20 E. Any recovery of civil penalties shall be deposited into the litter abatement
21 account within the Conservation Fund.

22 F. The secretary of the Department of Culture, Recreation and Tourism shall
23 promulgate and enforce the rules and regulations necessary to carry out the
24 provisions of this Section.

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)]

HB 173 Engrossed

2025 Regular Session

Illg

Abstract: Authorizes state park wardens to enforce litter laws statewide.

Present law authorizes state park wardens to enforce all rules and regulations of the Dept. of Culture, Recreation and Tourism, office of state parks, and all laws of the state of La. within their jurisdiction.

Proposed law retains present law and authorizes state park wardens to enforce litter laws statewide and to issue citations for littering by mail or in person.

Proposed law authorizes the Dept. of Culture, Recreation and Tourism to bring a civil action to recover penalties for intentional and simple littering citations.

Proposed law creates an adjudicatory hearing process and provides requirements for notice and opportunity and for appeals to the judicial district court.

Proposed law provides for the judgment to become final for debt recovery purposes after time for appeals has expired and assesses costs and attorney fees to anyone who is assessed a civil penalty.

Proposed law requires that any civil penalties recovered be deposited into the litter abatement account within the Conservation Fund.

(Amends R.S. 56:1688(C); Adds R.S. 56:1688.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Authorize the Dept. of Culture, Recreation and Tourism to bring a civil action to recover penalties for intentional and simple littering citations and to promulgate and enforce the rules and regulations necessary to carry out the process.
2. Create an adjudicatory hearing process and provides requirements for notice and opportunity and for appeals to the judicial district court.
3. Provide for the judgment to become final for debt collection purposes after time for appeals has expired and for the assessment of attorney fees and costs against anyone who is assessed a civil penalty.
4. Require that any civil penalties recovered be deposited into the litter abatement account within the Conservation Fund.