

2018 Regular Session

HOUSE BILL NO. 35

BY REPRESENTATIVE DEVILLIER

ENVIRONMENT/LITTERING: Amends penalties for gross littering

1 AN ACT

2 To amend and reenact R.S. 30:2531.1(D)(1) and (2), relative to littering; to provide for
3 penalties for gross littering; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 30:2531.1(D)(1) and (2) are hereby amended and reenacted to read
6 as follows:

7 §2531.1. Gross littering prohibited; criminal penalties; indemnification

8 * * *

9 D.(1) Whoever violates the provisions of this Section shall, upon first
10 conviction, be fined nine hundred dollars and sentenced to serve sixteen hours of
11 community service in a litter abatement work program as approved by the court and
12 may be imprisoned for not more than thirty days.

13 (2) Upon second conviction, an offender shall be fined not less than two
14 thousand dollars nor more than five thousand dollars and sentenced to serve twenty-
15 four hours of community service in a litter abatement work program as approved by
16 the court and may be imprisoned for not more than thirty days.

17 * * *

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 35 Original

2018 Regular Session

DeVillier

Abstract: Adds the option of imprisonment for not more than 30 days as a penalty to first or second conviction of gross littering.

Present law prohibits and defines gross littering as 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.

Present law provides that whoever violates present law shall be subject to the following penalties:

- (1) On a first conviction - a fine of \$900 and a sentence of 16 hours of community service in a court-approved litter abatement program.
- (2) On a second conviction - a fine of not less than \$2,000 nor more than \$5,000 and a sentence of 24 hours of community service in a court-approved litter abatement program.
- (3) On a third or subsequent conviction - a fine of not less than \$3,000 nor more than \$10,000, motor vehicle driver's license suspension for one year, imprisonment for not more than 30 days, or a sentence of not less than 48 hours and not more than 100 hours of community service in a court-approved litter abatement program, or all or any combination of the aforementioned penalties.

Proposed law retains present law except adds the option of imprisonment for not more than 30 days upon a first or second conviction of gross littering.

(Amends R.S. 30:2531.1(D)(1) and (2))