The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tyler McCloud.

DIGEST

SB 392 Original | 2020 Regular Session | Lambert

Proposed law provides that any person who willfully or knowingly disposes of a waste tire in contravention of any provision of present law or any regulation promulgated pursuant to present law shall, upon conviction, be subject to a fine of not less than $1,000 but not more than $5,000, or imprisonment with or without hard labor for not more than five years, or both.

Proposed law allows the court to suspend the execution of a sentence imposed on any offender convicted under proposed law, if the offender is placed on supervised probation for at least two years and, as a condition of probation, cleans the site or removes the illegally disposed waste tires from the site to the satisfaction of the DEQ.

Proposed law provides that the time limit for instituting prosecution under proposed law shall commence upon discovery of the disposal of the waste tire. Further provides that the determination of whether the conduct was willful or knowing will be determined under the law in existence at the time of the disposal.

Proposed law requires a person convicted to pay all costs of the investigation and prosecution, in addition to all other penalties.

Effective August 1, 2020.

(Adds R.S. 30:2418.1)