

2025 Regular Session

HOUSE BILL NO. 173

BY REPRESENTATIVES ILLG AND THOMPSON

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; to
5 provide an effective date; and to 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 * * *

1 §1688.1. Civil penalties; assessment; administrative hearing

2 A. The Department of Culture, Recreation and Tourism is authorized to
3 bring a civil action to recover the penalties established for violation of R.S.
4 30:2531(A) or (B) in accordance with the Administrative Procedure Act.

5 B. The department may elect to enforce the provisions of R.S. 30:2531 by
6 adjudicatory hearing held in the district office for the parish where the defendant is
7 domiciled or where the violation occurred. The defendant may waive the
8 adjudicatory hearing upon payment of the fine.

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

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

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

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

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

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

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____