

HOUSE BILL REPORT

HB 1153

*As Reported By House Committee on:
Judiciary*

Title: An act relating to the penalty for littering.

Brief Description: Prescribing monetary penalties for littering.

Sponsor(s): Representatives Winsley, Rust, Horn, Valle, Edmondson, Neher, Cole, Anderson, Ferguson, Jacobsen, Rasmussen, R. Johnson, Paris, Scott, Betrozoff, Nealey and Sprenkle.

Brief History:

Reported by House Committee on:
Judiciary, February 26, 1991, DPS.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *That Substitute House Bill No. 1153 be substituted therefor, and the substitute bill do pass.*
Signed by 18 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Bill Perry (786-7123).

Background: Washington's Litter Control and Recycling Act generally prohibits littering anywhere in the State on public property or on the private property of another. Litter is defined as all waste material except the waste products of mining, logging, sawmilling, farming or manufacturing. Litter specifically includes "disposable packages or containers."

The offense of littering is designated as a "misdemeanor" crime. The litter law sets a minimum fine of \$50, but does not specifically provide for any imprisonment. Unless specific lesser penalties are established for an offense, the criminal code provides that the penalty for a misdemeanor is up to 90 days in jail and a fine of up to \$1,000.

The litter law also requires the court to order a person convicted of littering to spend between 8 and 16 hours picking up litter.

Summary of Substitute Bill: Penalties for littering are changed. A conviction involving less than 10 pounds of litter is punishable by a fine of up to \$50. A conviction involving 10 pounds or more is punishable by not less than \$50 nor more than \$300.

Substitute Bill Compared to Original Bill: The original bill would have authorized up to 10 days in jail upon conviction. The substitute creates the split fine provision based on the amount of litter.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The law should provide more deterrent to littering. The problem of littering is getting worse despite the current law.

Testimony Against: None.

Witnesses: Prime sponsor.