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## Environment Committee

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### HB 2260

**Brief Description:** Increasing penalties for littering.

**Sponsors:** Representatives Zeiger, Fitzgibbon, Jinkins, Wylie, Asay, Nealey, Rivers, Finn, Reykdal, Moeller and Miloscia.

<p><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Increases the penalties associated with littering.</li></ul>
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**Hearing Date:** 1/23/12

**Staff:** Kara Durbin (786-7133).

**Background:**

Littering, or the illegal dumping of waste material, is unlawful in Washington. Littering regulations are enforced on a sliding scale, with the amount of litter discarded determining the level of penalty assessed.

Littering more than one cubic foot but less than one cubic yard is a misdemeanor. Along with criminal sanctions, the litterer must pay a restitution payment of twice the actual cost to clean up the illegally dumped waste, or \$50 per cubic foot, whichever is greater.

Littering one cubic yard of material or more is a gross misdemeanor. Along with criminal sanctions, the litterer must pay a restitution payment of twice the actual cost to clean up the illegally dumped waste, or \$100 per cubic foot of litter, whichever is greater.

In distributing the litter cleanup restitution payment, the court must distribute half the restitution payment to the landowner and half the restitution payment to the law enforcement agency investigating the incident. The court may suspend or modify the litter cleanup restitution payment for a first-time offender, if the person cleans up and properly disposes of the litter.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Littering of potentially dangerous litter is a class 1 civil infraction. The maximum penalty for an infraction involving potentially dangerous litter is \$500.

**Summary of Bill:**

The penalties assessed for littering are increased. The restitution payment for littering an amount of more than one cubic foot but less than one cubic yard is equal to three times the actual cost of cleanup, or \$100 per cubic foot of litter, whichever is greater. The restitution payment for littering in an amount of one cubic yard of material or more is equal to three times the actual cost of cleanup, or \$200 per cubic foot of litter, whichever is greater.

The court must distribute the restitution payment into three equal parts, with one-third of the payment to the landowner, one-third to the law enforcement agency investigating the incident, and one-third to the Washington Conservation Corps.

The penalty associated with littering of potentially dangerous litter is increased from \$500 to \$750.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.