

SENATE BILL REPORT

HB 2294

As Reported by Senate Committee On:
Energy, Environment & Telecommunications, February 27, 2014

Title: An act relating to increasing penalties for littering.

Brief Description: Increasing penalties for littering.

Sponsors: Representatives Pike, Wylie, Stonier, Vick, Harris, Blake, Farrell, Moeller, Fitzgibbon, Sawyer, Bergquist and Pollet.

Brief History: Passed House: 2/17/14, 81-17.

Committee Activity: Energy, Environment & Telecommunications: 2/27/14 [DP, w/oRec].

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Majority Report: Do pass.

Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Member; Billig, Brown, Chase, Litzow and Ranker.

Minority Report: That it be referred without recommendation.

Signed by Senator Honeyford.

Staff: William Bridges (786-7416)

Background: The Waste Reduction, Recycling, and Litter Control Act (Act), dating to 1971, establishes statewide programs to prevent and clean up litter, reduce waste, and increase recycling. The Act also prohibits littering on state and private lands not owned by the litterer. The Act vests police powers to enforce restrictions on littering with a variety of government personnel, including Department of Ecology and State Parks and Recreation Commission employees, local government agencies with law enforcement capabilities, Washington State Patrol officers, Department of Fish and Wildlife officers, fire wardens, and forest rangers.

Littering in an amount equal to less than one cubic foot is designated as a class 3 civil infraction which means the violator is subject to base penalties of up to \$50 with the exception of potentially dangerous litter like cigarettes, glass, and raw human waste, which is subject to heightened penalties. Additional fees and assessments are also applied to the base penalty for class 3 civil infractions. Littering in larger volumes subjects a violator to criminal misdemeanor penalties.

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.

In addition, state traffic laws prohibit dropping materials onto highways, which is an infraction punishable with a base penalty of \$87.

Summary of Bill: Littering in an amount smaller than one cubic foot is raised to a class 2 civil infraction that subjects the violator to a penalty of up to \$125 plus additional fees and assessments. This littering penalty is assessed separately from the \$87 base penalty for dropping materials onto state highways.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This is a constituent-request bill that will keep Washington beautiful. The bill had broad, bi-partisan support in the House. This bill will create a greater deterrent to the dumping of litter in rural areas and wetlands.

Persons Testifying: PRO: Representative Pike, prime sponsor; Denise Clifford, WA State Dept. of Ecology.