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## Environment Committee

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### HB 1160

**Brief Description:** Stamping out litter in Washington state by increasing penalties for littering while providing additional funding to state parks.

**Sponsors:** Representatives Pike, Moeller, Fitzgibbon, Bergquist, Gregerson, Ormsby, Ryu and Tharinger.

#### Brief Summary of Bill

- Increases the penalties for littering in a small amount to \$200, up from \$50.
- Increases the penalties for dropping material on a state road to \$200, up from \$87.
- Directs the money received by the state from the increases in the littering and debris deposition fines to State Parks operations and maintenance.

**Hearing Date:** 1/20/15

**Staff:** Jacob Lipson (786-7196).

#### 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 gives police powers to enforce littering restrictions to a variety of government personnel, including the Department of Ecology and State Parks and Recreation Commission employees, local government agencies with law enforcement capabilities, Washington State Patrol officers, the 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, including cigarettes, glass, and raw human waste, which is subject to heightened penalties. Littering in larger volumes subjects a violator to criminal misdemeanor penalties.

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In addition, state traffic laws prohibit dropping materials onto highways, which is an infraction punishable with a base penalty of up to \$87. Like other traffic infractions, the prohibition on depositing material on a highway is enforced by police officers.

The majority of the base penalty money collected by municipal courts for both the infractions of littering and dropping materials onto a state road are retained by the municipality. Municipal courts also remit a portion of collected base penalty moneys to the State General Fund. Separately, the Act provides that fines collected under the Act be deposited in the Waste Reduction, Recycling, and Litter Control Account for litter collection and waste reduction, recycling, and litter control activities by local governments and state agencies.

Additional fees and assessments are also applied to the base penalty for both class 3 civil infractions and traffic infractions. These additional fees and assessments beyond the base penalty amounts are distributed to the State General Fund and to fund the judicial information systems used by state courts.

The State Parks Renewal and Stewardship Account receives receipts from state parks user fees, donations, and other state-park related activities. Money in the State Parks Renewal and Stewardship Account must be used for the operation and maintenance of state parks.

**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 \$200, plus additional fees and assessments. The penalty for dropping materials onto a highway is also increased to \$200 plus additional fees and assessments, up from an original base penalty of \$87. The littering penalty is in addition to any separate assessment of penalties for depositing materials onto a highway.

The money received by the state as a result of the increased littering and highway deposition penalties is deposited in the State Parks Renewal and Stewardship Account (Account).

**Appropriation:** None.

**Fiscal Note:** Requested on January 13, 2015.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed, except for sections 4 and 8, which take effect June 30, 2017.