Regular Session, 2010

HOUSE BILL NO. 119

## BY REPRESENTATIVE SIMON

# ENVIRONMENT/LITTERING: Provides for printed materials distributed by means of attachment to the windshield or windshield wiper as litter

1	AN ACT
2	To amend and reenact R.S. 30:2522(3) and (4), relative to litter; to provide for the definition
3	of dispose and litter; to provide for exceptions; and to provide for related matters.
4	Be it enacted by the Legislature of Louisiana:
5	Section 1. R.S. 30:2522(3) and (4) are hereby amended and reenacted to read as
6	follows:
7	§2522. Definitions
8	As used in this Part, the following words have the meanings ascribed to them
9	unless the context requires otherwise:
10	* * *
11	(3) "Dispose" means to throw, discard, place, deposit, discharge, burn, dump,
12	drop, eject, or allow the escape of a substance or to distribute printed materials by
13	means of attachment to the windshield or windshield wiper of a motor vehicle.
14	(4) "Litter" means all waste material except as provided and defined in R.S.
15	30:2173(2), including but not limited to disposable packages, containers, sand,
16	gravel, rubbish, cans, bottles, refuse, garbage, trash, debris, dead animals, furniture
17	or appliances, automotive parts, including but not limited to tires and engines,
18	trailers, boats and boating accessories, tools and equipment, and building materials,
19	roofing nails, or other discarded materials of any kind and description. The term
20	"litter" shall not include the following:

## Page 1 of 3

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(a) While being used for or distributed in accordance with their intended uses,
2	litter shall not include political pamphlets, handbills, religious tracts and newspapers,
3	and other similar printed materials, the unsolicited distribution of which is protected
4	by the Constitution of the United States or the Constitution of Louisiana-;however,
5	the exception provided for in this Subparagraph shall not apply to such printed
6	material distributed by means of attachment to the windshield or windshield wiper
7	of a motor vehicle.
8	(b) Litter shall also not include recyclable cardboard being transported in
9	compressed bundles to processing facilities.
10	(c) Litter shall not include agricultural products that are being transported
11	from the harvest or collection site to a processing or market site if reasonable
12	measures are taken to prevent the agricultural product from leaving the transporting
13	vehicle. Litter shall also not include recyclable cardboard being transported in
14	compressed bundles to processing facilities. "Agricultural product" as used in this
15	definition means all crops, livestock, poultry, and forestry, and all aquacultural,
16	floracultural, horticultural, silvicultural, and viticultural products.
17	* * *

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

#### Simon

HB No. 119

**Abstract:** Includes printed materials distributed by means of attachment to the windshield or windshield wiper of a motor vehicle as litter.

<u>Present law</u> defines "litter" as all waste material, including but not limited to disposable packages, containers, sand, gravel, rubbish, cans, bottles, refuse, garbage, trash, debris, dead animals, furniture or appliances, automotive parts, including but not limited to tires and engines, trailers, boats and boating accessories, tools and equipment, and building materials, roofing nails, or other discarded materials of any kind and description.

<u>Present law</u> provides that "litter" does not include political pamphlets, handbills, religious tracts, and newspapers, and other similar printed materials, the unsolicited distribution of which is protected by the Constitution of the U.S. or the Constitution of La., agricultural products that are being transported from the harvest or collection site to a processing or market site if reasonable measures are taken to prevent the agricultural product from leaving

the transporting vehicle or recyclable cardboard being transported in compressed bundles to processing facilities.

<u>Proposed law</u> retains <u>present law</u> except removes exception from the definition of litter for printed materials distributed by means of attachment to the windshield or windshield wiper of a motor vehicle.

<u>Present law</u> defines "dispose" as to throw, discard, place, deposit, discharge, burn, dump, drop, eject, or allow the escape of a substance.

<u>Proposed law</u> retains <u>present law</u> except includes distributing printed materials by means of attachment to the windshield or windshield wiper of a motor vehicle as a means to dispose.

(Amends R.S. 30:2522(3) and (4))