

SENATE FILE 2013

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BY HOLDEN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to provide a labor of litter gathering as a penalty for
2 littering on public highways.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2013

1 Section 1. Section 321.369, Code 1985, is amended to read
2 as follows:

3 321.369 PUTTING DEBRIS ON HIGHWAY.

4 1. No A person shall not throw or deposit upon any a
5 highway any glass bottle, glass, nails, tacks, wire, cans,
6 trash, garbage, rubbish, litter, offal, or any other debris.
7 No A substance likely to injure any person, animal, or vehicle
8 upon such highway shall not be thrown or deposited by any
9 person upon any highway. Any A person who violates any
10 provision of this section or section 321.370 shall be is
11 guilty of a misdemeanor and upon arrest and conviction
12 therefor shall be punished as provided in section 321.482.

13 2. However, in lieu of a penalty imposed under section
14 321.482, a person who is convicted of a violation of
15 subsection 1 shall be sentenced to a supervised labor of
16 litter gathering for a minimum of two days along the same
17 classification of highway where the violation occurred. If a
18 violator claims a physical disability, the burden of proof
19 shall be upon the violator to prove a disability sufficient to
20 preclude carrying out a sentence of litter gathering. If a
21 violator proves a sufficient physical disability, a penalty
22 under section 321.482 shall be imposed.

23 EXPLANATION

24 This bill provides for a labor of litter gathering in lieu
25 of a fine or other penalty for violating section 321.369. If
26 a violator is physically incapable of performing a labor of
27 litter gathering, another penalty shall be imposed under
28 section 321.482. The penalty for a simple misdemeanor is a
29 fine of not more than one hundred dollars or imprisonment for
30 not more than thirty days.

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