

Senate File 2319 - Enrolled

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SENATE FILE 2319

AN ACT

RELATING TO LITTERING AND ILLEGAL DISCARDING OF SOLID WASTE
AND INCREASING FINES AND PENALTIES AND MAKING APPROPRIATIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 455B.307A, subsection 3, Code 2005, is amended to read as follows:

3. A person who violates this section is subject to a civil penalty not to exceed ~~five hundred one thousand~~ one thousand dollars for each violation. The revenue from the penalty provided in this subsection shall be remitted to the treasurer of state for deposit in the general fund of the state. Fifty percent of such moneys are appropriated to the state department of transportation for purposes of the cleanup of litter and illegally discarded solid waste. The remaining fifty percent of such moneys shall be deposited in the general fund of the county in which the violation occurred to be used exclusively for the cleanup and prevention of illegal dumping.

Sec. 2. Section 602.8108, subsection 2, Code Supplement 2005, is amended to read as follows:

2. Except as otherwise provided, the clerk of the district court shall report and submit to the state court administrator, not later than the fifteenth day of each month, the fines and fees received during the preceding calendar month. Except as provided in subsections 3, 4, 5, 7, 8, ~~and 9, and 11~~, the state court administrator shall deposit the amounts received with the treasurer of state for deposit in the general fund of the state. The state court administrator shall report to the legislative services agency within thirty days of the beginning of each fiscal quarter the amount received during the previous quarter in the account established under this section.

Sec. 3. Section 602.8108, Code Supplement 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 11. The state court administrator shall allocate fifty percent of all of the fines attributable to littering citations issued pursuant to sections 321.369, 321.370, and 461A.43 to the treasurer of state for deposit in the general fund of the state and such moneys are appropriated to the state department of transportation for purposes of the cleanup of litter and illegally discarded solid waste.

Sec. 4. Section 805.8A, subsection 14, paragraph d, Code Supplement 2005, is amended to read as follows:

d. LITTER AND DEBRIS VIOLATIONS. For violations under sections 321.369 and 321.370, the scheduled fine is ~~thirty=~~ five seventy dollars.

Sec. 5. Section 805.8B, subsection 6, paragraph b, Code 2005, is amended to read as follows:

b. For violations under sections 461A.40, ~~461A.43~~, 461A.46, and 461A.49, the scheduled fine is fifteen dollars.

Sec. 6. Section 805.8B, subsection 6, Code 2005, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. For violations under section 461A.43, the scheduled fine is thirty dollars.

JEFFREY M. LAMBERTI
President of the Senate

CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2319, Eighty=first General Assembly.

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3 4 MICHAEL E. MARSHALL
3 5 Secretary of the Senate
3 6 Approved _____, 2006
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3 9 _____
3 10 THOMAS J. VILSACK
3 11 Governor