

House File 2385 - Enrolled

House File 2385

AN ACT

RELATING TO LITTERING AND ILLEGAL DUMPING AND MODIFYING
PENALTIES.

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

Section 1. Section 455B.307A, subsection 3, Code 2016, is amended to read as follows:

3. A person who violates [this section](#) is subject to a civil penalty ~~not to exceed~~ of one thousand dollars for each violation a first offense, two thousand dollars for a second offense, and three thousand dollars for a third or subsequent offense. 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 455B.307A, Code 2016, is amended by adding the following new subsection:

NEW SUBSECTION. 4. This section shall not apply to the discarding of litter regulated under chapter 455B, division IV, part 3, and local littering ordinances.

Sec. 3. Section 455B.361, subsection 2, Code 2016, is amended to read as follows:

2. *"Litter"* means any garbage, rubbish, trash, refuse, waste materials, or debris not exceeding ten pounds in weight or fifteen cubic feet in volume. Litter includes but is not limited to empty beverage containers, cigarette butts, food waste packaging, other food or candy wrappers, handbills, empty cartons, or boxes.

LINDA UPMEYER
Speaker of the House

PAM JOCHUM
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2385, Eighty-sixth General Assembly.

CARMINE BOAL
Chief Clerk of the House

Approved _____, 2016

TERRY E. BRANSTAD
Governor