

SENATE FILE 2089  
BY LAMBERTI

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to littering and illegal discarding of solid  
2 waste and increasing fines and penalties and making  
3 appropriations.

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

NAT. RES. & ENVIRONMENT

SF 2089

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

3 3. A person who violates this section is subject to a  
4 civil penalty not to exceed five-hundred one thousand dollars  
5 for each violation. Fifty percent of the revenue from the  
6 penalty provided in this subsection shall be remitted to the  
7 treasurer of state for deposit in the general fund of the  
8 state and such moneys are appropriated to the state department  
9 of transportation for purposes of the cleanup of litter and  
10 illegally discarded solid waste.

11 Sec. 2. Section 602.8108, subsection 2, Code Supplement  
12 2005, is amended to read as follows:

13 2. Except as otherwise provided, the clerk of the district  
14 court shall report and submit to the state court  
15 administrator, not later than the fifteenth day of each month,  
16 the fines and fees received during the preceding calendar  
17 month. Except as provided in subsections 3, 4, 5, 7, 8, and  
18 9, and 11, the state court administrator shall deposit the  
19 amounts received with the treasurer of state for deposit in  
20 the general fund of the state. The state court administrator  
21 shall report to the legislative services agency within thirty  
22 days of the beginning of each fiscal quarter the amount  
23 received during the previous quarter in the account  
24 established under this section.

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

27 NEW SUBSECTION. 11. The state court administrator shall  
28 allocate fifty percent of all of the fines attributable to  
29 littering citations issued pursuant to sections 321.369,  
30 321.370, and 461A.43 to the treasurer of state for deposit in  
31 the general fund of the state and such moneys are appropriated  
32 to the state department of transportation for purposes of the  
33 cleanup of litter and illegally discarded solid waste.

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

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

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

6 b. For violations under sections 461A.40, ~~461A.43,~~  
7 461A.46, and 461A.49, the scheduled fine is fifteen dollars.

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

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

12 EXPLANATION

13 This bill relates to littering and illegal discarding of  
14 solid waste and increases fines and penalties and makes  
15 appropriations.

16 The bill increases the maximum civil penalty for the  
17 illegal discarding of solid waste from \$500 to \$1,000. The  
18 bill increases the scheduled fines for littering and placing  
19 debris on public highways from \$35 to \$70 and increases the  
20 scheduled fine for littering in a state park or preserve from  
21 \$15 to \$30.

22 The bill provides that 50 percent of fines and civil  
23 penalties attributable to littering or illegal discarding of  
24 solid waste shall be deposited in the general fund of the  
25 state and shall be appropriated to the state department of  
26 transportation for purposes of the cleanup of litter and  
27 illegally discarded solid waste.

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