

House File 2154 - Introduced

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BY PAUSTIAN, JONES, RUFF,
LYKAM, THEDE, KLEIN,
JORGENSEN, and HOLZ

A BILL FOR

1 An Act modifying the penalties for littering.

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

1 Section 1. Section 455B.364, Code 2016, is amended to read
2 as follows:

3 **455B.364 Penalty.**

4 Any person violating the provisions of section 455B.363,
5 upon conviction, shall be guilty of a simple serious
6 misdemeanor. The court, ~~in lieu of or~~ in addition to any other
7 sentence imposed, ~~may direct and supervise a labor of litter~~
8 gathering shall order a person convicted of violating the
9 provisions of section 455B.363 to reimburse the director for
10 the costs of cleaning up the litter.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill makes changes to the penalties for littering.
15 "Littering" is defined in Code section 455B.361 as any garbage,
16 rubbish, trash, refuse, waste materials, or debris.

17 The bill changes the criminal penalty for a person
18 convicted of littering from a simple misdemeanor to a serious
19 misdemeanor. A simple misdemeanor is punishable by confinement
20 for no more than 30 days or a fine of at least \$65 but not more
21 than \$625 or by both. A serious misdemeanor is punishable by
22 confinement for no more than one year and a fine of at least
23 \$315 but not more than \$1,875.

24 The bill also requires the court, in imposing a sentence
25 upon a person convicted of littering, to order the person to
26 reimburse the director of the department of natural resources
27 for the costs of cleaning up the litter.