

By: Representative Crawford

To: Judiciary B

HOUSE BILL NO. 1121

1 AN ACT TO AMEND SECTION 97-15-29, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE FINES FOR LITTERING; AND FOR RELATED PURPOSES.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

4 **SECTION 1.** Section 97-15-29, Mississippi Code of 1972, is
5 amended as follows:

6 97-15-29. (1) Anyone who shall put, throw, dump or leave on
7 the roads and highways of this state, or within the limits of the
8 rights-of-way of such roads and highways, or upon any private
9 property, any cigarette or cigar stubs, or any other thing or
10 substance likely to ignite the grass or underbrush on a road or
11 highway, in addition to being civilly liable for all damages
12 caused by such act shall, upon conviction, be guilty of a
13 misdemeanor and punished as provided by subsection (3) of this
14 section.

15 (2) The Department of Transportation is authorized to erect
16 warning signs along the roads and highways of this state advising
17 the public of the existence of this section and of the penalty for
18 the violation thereof and is further authorized to install



19 receptacles at reasonable intervals along the roads and highways
20 of this state to be used as containers for trash and rubbish and
21 for the convenience of the public using such roads and highways.

22 (3) Any person found guilty of the violation of this section
23 shall, upon conviction, be fined not less than * * * Five Hundred
24 Dollars (\$500.00). The proceeds of such fines shall be expended
25 by the collecting jurisdiction solely for the purpose of funding
26 local litter prevention programs or projects or local or school
27 litter education programs as recommended by the statewide litter
28 prevention program of Keep Mississippi Beautiful, Inc.

29 (4) As a part of the fine imposed by subsection (3) above, a
30 person convicted for an offense upon which fines are imposed by
31 this section may be required to perform the following, and a
32 person convicted for a second or subsequent offense upon which
33 fines are imposed by this section shall be required to:

34 (a) Remove or render harmless, in accordance with
35 written direction, as appropriate, from the Department of
36 Environmental Quality or local law enforcement authorities, the
37 unlawfully discarded solid waste;

38 (b) Repair or restore property damaged by, or pay
39 damages for any damage arising out of the unlawfully discarded
40 solid waste;

41 (c) Perform community public service relating to the
42 removal of any unlawfully discarded solid waste or to the



43 restoration of any area polluted by unlawfully discarded solid
44 waste; and

45 (d) Pay all reasonable investigative and prosecutorial
46 expenses and costs to the investigative and/or prosecutorial
47 agency or agencies.

48 (5) Upon a second or subsequent conviction of an offense
49 upon which fines are imposed by this section, the minimum and
50 maximum fines shall be doubled.

51 (6) When any litter is thrown or discarded from a motor
52 vehicle, the operator of the motor vehicle shall be deemed in
53 violation of this section.

54 (7) There shall be imposed and collected an assessment
55 of * * * Five Hundred Dollars (\$500.00) on each violation of this
56 section. The assessment shall be deposited into the Law
57 Enforcement Officers Monument Fund created in Section 39-5-71.
58 After the monument is constructed, the assessment shall not be
59 deposited into the fund. The assessment shall then be deposited
60 with the Postsecondary Education Financial Assistance Board to be
61 used for the scholarship program for children of deceased or
62 disabled law enforcement officers and firemen as provided by
63 Section 37-106-39.

64 (8) It shall be the duty of all law enforcement officers to
65 enforce the provisions of this section.



66 (9) This section shall not prohibit the storage of ties and
67 machinery by a railroad on its right-of-way where the highway
68 right-of-way extends to within a few feet of the railroad roadbed.

69 **SECTION 2.** This act shall take effect and be in force from
70 and after July 1, 2018.

