

By: Representative Arnold

To: Judiciary B

HOUSE BILL NO. 904

1 AN ACT TO AMEND SECTION 97-15-29, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE LITTERING FINES AND ALLOCATE COLLECTED FINES TO LOCAL  
3 POLICE, SHERIFF AND FIRE DEPARTMENTS; AND FOR RELATED PURPOSES.

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

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

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

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



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

23 (3) Any person found guilty of \* \* \* violating the  
24 provisions of this section shall, upon conviction, be fined not  
25 less than \* \* \* Two Hundred Fifty Dollars (\$250.00) nor more  
26 than \* \* \* One Thousand Dollars (\$1000.00). \* \* \* One Hundred  
27 Dollars (\$100.00) of each collected fine shall be expended by the  
28 collecting jurisdiction solely for the purpose of funding local  
29 litter prevention programs or projects or local or school litter  
30 education programs as recommended by the statewide litter  
31 prevention program of Keep Mississippi Beautiful, Inc. The  
32 remaining amount of each fine shall be split as follows: (a)  
33 fifty percent (50%) to be expended by the collecting sheriff or  
34 police department, as applicable, and (b) the remaining fifty  
35 percent (50%) to be expended by the fire department or volunteer  
36 fire department located within the collecting jurisdiction, as  
37 applicable.

38 (4) As a part of the fine imposed by subsection (3) above, a  
39 person convicted for an offense upon which fines are imposed by  
40 this section may be required to perform the following, and a  
41 person convicted for a second or subsequent offense upon which  
42 fines are imposed by this section shall be required to:



43 (a) Remove or render harmless, in accordance with  
44 written direction, as appropriate, from the Department of  
45 Environmental Quality or local law enforcement authorities, the  
46 unlawfully discarded solid waste;

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

50 (c) Perform community public service relating to the  
51 removal of any unlawfully discarded solid waste or to the  
52 restoration of any area polluted by unlawfully discarded solid  
53 waste; and

54 (d) Pay all reasonable investigative and prosecutorial  
55 expenses and costs to the investigative and/or prosecutorial  
56 agency or agencies.

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

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

63 (7) There shall be imposed and collected an additional  
64 assessment of Fifty Dollars (\$50.00) on each violation of this  
65 section. The assessment shall be deposited into the Law  
66 Enforcement Officers Monument Fund created in Section 39-5-71.  
67 After the monument is constructed, the assessment shall not be



68 deposited into the fund. The assessment shall then be deposited  
69 with the Postsecondary Education Financial Assistance Board to be  
70 used for the scholarship program for children of deceased or  
71 disabled law enforcement officers and firemen as provided by  
72 Section 37-106-39.

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

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

78 **SECTION 2.** This act shall take effect and be in force from  
79 and after July 1, 2022.

