

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2555

By Representative(s) Committee

5 Amend by striking all after the enacting clause and inserting
6 in lieu thereof the following:

7

8 SECTION 1. Section 97-15-29, Mississippi Code of 1972, is
9 amended as follows:

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

19 (b) Anyone who puts, throws or dumps on the roads or
20 highways of this state, or within the limits of the rights-of-way
21 of such roads or highways, or upon any private property without
22 permission of the owner of such property, any dead wildlife,
23 wildlife parts or waste, in addition to being civilly liable for
24 all damages caused by such act, upon conviction, shall be guilty
25 of a misdemeanor and punished as provided by subsection (3) of
26 this section.

27 (2) The Department of Transportation is authorized to erect

28warning signs along the roads and highways of this state advising
29the public of the existence of this section and of the penalty for
30the violation thereof and is further authorized to install
31receptacles at reasonable intervals along the roads and highways
32of this state to be used as containers for trash and rubbish and
33for the convenience of the public using such roads and highways.

34 (3) Any person found guilty of the violation of this section
35shall, upon conviction, be fined not less than Fifty Dollars
36(\$50.00) nor more than Two Hundred Fifty Dollars (\$250.00). The
37proceeds of such fines shall be expended by the collecting
38jurisdiction solely for the purpose of funding local litter
39prevention programs or projects or local or school litter
40education programs as recommended by the statewide litter
41prevention program of Keep Mississippi Beautiful, Inc.

42 (4) As a part of the fine imposed by subsection (3) above, a
43person convicted for an offense upon which fines are imposed by
44this section may be required to perform the following, and a
45person convicted for a second or subsequent offense upon which
46fines are imposed by this section shall be required to:

47 (a) Remove or render harmless, in accordance with
48written direction, as appropriate, from the Department of
49Environmental Quality or local law enforcement authorities, the
50unlawfully discarded solid waste;

51 (b) Repair or restore property damaged by, or pay
52damages for any damage arising out of the unlawfully discarded
53solid waste;

54 (c) Perform community public service relating to the
55removal of any unlawfully discarded solid waste or to the
56restoration of any area polluted by unlawfully discarded solid
57waste; and

58 (d) Pay all reasonable investigative and prosecutorial
59expenses and costs to the investigative and/or prosecutorial
60agency or agencies.

61 (5) Upon a second or subsequent conviction of an offense
62upon which fines are imposed by this section, the minimum and

63maximum fines shall be doubled.

64 (6) When any litter is thrown or discarded from a motor
65vehicle, the operator of the motor vehicle shall be deemed in
66violation of this section.

67 (7) Assessments collected under subsection (4) of Section
6899-19-73 from persons convicted of a violation of this section
69shall be deposited to the credit of the Statewide Litter
70Prevention Fund created in Section 65-1-167.

71 (8) It shall be the duty of all law enforcement officers to
72enforce the provisions of this section.

73 (9) This section shall not prohibit the storage of ties and
74machinery by a railroad on its right-of-way where the highway
75right-of-way extends to within a few feet of the railroad roadbed.

76 SECTION 2. This act shall take effect and be in force from
77and after July 1, 2000.