

HOUSE BILL 375

Introduced by S.J. Hansen

1/23	Introduced
1/23	Referred to Natural Resources
1/24	First Reading
1/24	Fiscal Note Requested
1/29	Fiscal Note Printed [sic.]
1/29	Fiscal Note Received
2/01	Hearing
2/05	Committee Report--Bill Passed as Amended
2/08	2nd Reading Passed
2/11	3rd Reading Passed
	Transmitted to Senate
2/12	First Reading
2/12	Referred to Natural Resources
3/27	Hearing
4/02	Committee Report--Bill Not Passed
4/02	Adverse Committee Report Adopted

1 *House* BILL NO. *375*
 2 INTRODUCED BY *Steeljaw Hansen*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE PENALTY
 5 FOR THE UNAUTHORIZED DISPOSAL OF DEBRIS OR REFUSE; AND
 6 AMENDING SECTION 75-10-233, MCA."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 **Section 1.** Section 75-10-233, MCA, is amended to read:

10 "75-10-233. Dumping penalty -- enforcement. Any A
 11 person found guilty of a violation of 75-10-212(2) shall for
 12 a first offense be fined in-the-sum-not-exceeding-\$100-or
 13 imprisoned-in-the-county-jail-for-a-period-not-exceeding--30
 14 days--or--be-punished-by-both-such-fine-and-imprisonment--in
 15 the-discretion-of-the-court less than \$250 and for a second
 16 or subsequent offense be fined not less than \$250 or more
 17 than \$500. In addition, each offender shall be ordered to
 18 spend up to 240 hours removing litter, under the supervision
 19 of a county government agency that the court finds
 20 appropriate, in the county in which the offense occurred.
 21 The provisions of 75-10-212(2) shall be enforced by all
 22 highway patrol officers, sheriffs, policemen, and all other
 23 enforcement agencies and officers of the state of Montana.
 24 In addition, game wardens shall have the right to enforce
 25 the provisions of 75-10-212(2) on public recreational

1 property and on private property where public recreation is
 2 permitted."

-End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0375, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

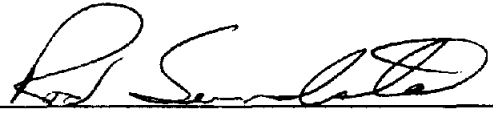
A bill to increase the maximum penalty for the unauthorized disposal of debris or refuse.

FISCAL IMPACT:

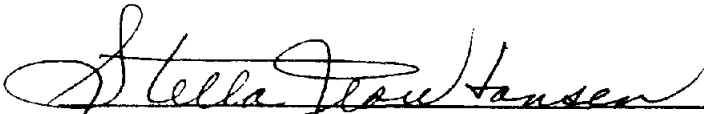
No fiscal impact on state government.

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

No appreciable fiscal impact on county or local revenues or expenditures.



ROD SUNDSTED, BUDGET DIRECTOR DATE
Office of Budget and Program Planning



STELLA JEAN HANSEN, PRIMARY SPONSOR DATE
Fiscal Note for HB0375, as introduced.

HB 375

APPROVED BY COMM. ON
NATURAL RESOURCES

HOUSE BILL NO. 375
INTRODUCED BY HANSEN

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE PENALTY
FOR THE UNAUTHORIZED DISPOSAL OF DEBRIS OR REFUSE;
INCREASING THE PENALTY FOR PUTTING REFUSE ON A HIGHWAY; AND
AMENDING SECTION SECTIONS 61-8-365 AND 75-10-233, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 75-10-233, MCA, is amended to read:

"75-10-233. Dumping penalty -- enforcement. Any A
person found guilty of a violation of 75-10-212(2) shall for
a first offense be fined in-the-sum-not--exceeding--\$100--or
imprisoned--in-the-county-jail-for-a-period-not-exceeding-30
days-or-be-punished-by-both-such-fine-and--imprisonment,--in
the--discretion-of-the-court less NOT MORE than \$250 and for
a second or subsequent offense be fined not less than \$250
or more than \$500. In addition, FOR EACH OFFENSE, each
offender shall be ordered to spend up to 240 50 hours
removing litter, under the supervision of a county
government agency that the court finds appropriate, in the
county in which the offense occurred. The provisions of
75-10-212(2) shall be enforced by all highway patrol
officers, sheriffs, policemen, and all other enforcement
agencies and officers of the state of Montana. In addition,

game wardens shall have the right to enforce the provisions
of 75-10-212(2) on public recreational property and on
private property where public recreation is permitted."

SECTION 2. SECTION 61-8-365, MCA, IS AMENDED TO READ:

"61-8-365. Putting refuse on highway prohibited --
penalty -- enforcement. (1) No person shall throw or deposit
upon any highway any glass bottles, glass, nails, tacks,
wire, cans, paper, or any other substance likely to injure
any person, animal, or vehicle upon such highway.

(2) Any person who drops or permits to be dropped or
thrown upon any highway any destructive or injurious
material shall immediately remove the same or cause it to be
removed.

(3) Any person removing a wrecked or damaged vehicle
from a highway shall remove any glass or other injurious
substance dropped upon the highway from such vehicle.

(4) A person convicted of violating this section shall
be-fined-not-less-than-\$50 for a first offense be fined not
more than \$250 and for a second or subsequent offense be
fined not less than \$250 or more than \$500. In addition, for
each offense each offender shall be ordered to spend up to
50 hours removing litter, under the supervision of a county
government agency that the court finds appropriate, in the
county in which the offense occurred. Except for the minimum
fine--of--\$50--as fines provided in this subsection, the

SECOND READING

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1 penalty provisions of 61-8-711 apply to this section."

-End-

HOUSE BILL NO. 375
INTRODUCED BY HANSEN

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE PENALTY FOR THE UNAUTHORIZED DISPOSAL OF DEBRIS OR REFUSE; INCREASING THE PENALTY FOR PUTTING REFUSE ON A HIGHWAY; AND AMENDING SECTION SECTIONS 61-8-365 AND 75-10-233, MCA."

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game wardens shall have the right to enforce the provisions of 75-10-212(2) on public recreational property and on private property where public recreation is permitted."

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(2) Any person who drops or permits to be dropped or thrown upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.

(3) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

(4) A person convicted of violating this section shall be-fined-not-less-than-\$50 for a first offense be fined not more than \$250 and for a second or subsequent offense be fined not less than \$250 or more than \$500. In addition, for each offense each offender shall be ordered to spend up to 50 hours removing litter, under the supervision of a county government agency that the court finds appropriate, in the county in which the offense occurred. Except for the minimum fine--of--\$50--as fines provided in this subsection, the

THIRD READING

HB 0375/02

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-End-