

SECOND REGULAR SESSION

HOUSE BILL NO. 2080

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE NICHOLS.

5348H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 577.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 577.070 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, and to enact in lieu thereof one new section relating to the crime or offense of littering, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 577.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 577.070 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, are repealed and one new section enacted in lieu thereof, to be known as section 577.070, to read as follows:

577.070. 1. A person commits the offense of littering if he or she places, deposits, or causes to be placed or deposited, any glass, glass bottles, wire, nails, tacks, hedge, cans, garbage, trash, refuse, **cigarettes, cigars**, or rubbish of any kind, nature or description on the right-of-way of any public road or state highway or on or in any of the waters in this state or on the banks of any stream, or on any land or water owned, operated or leased by the state, any board, department, agency or commission thereof or on any land or water owned, operated or leased by the federal government or on any private real property owned by another without the owner's consent.

2. The offense of littering is a class C misdemeanor unless:

(1) Such littering creates a substantial risk of physical injury or property damage to another; or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 (2) The person has been found guilty of a violation of this section or an offense
13 committed in another jurisdiction which, if committed in this state, would be a violation under
14 this section, in which case it is a class A misdemeanor.

15 **3. If the offense of littering involves cigarettes or cigars, the fine imposed under this**
16 **section shall be twice the amount imposed for an offense not involving cigarettes or cigars.**

577.070. 1. A person commits the crime of littering if [he] **such person** throws or
2 places, or causes to be thrown or placed, any glass, glass bottles, wire, nails, tacks, hedge, cans,
3 garbage, trash, refuse, **cigarettes, cigars**, or rubbish of any kind, nature or description on the
4 right-of-way of any public road or state highway or on or in any of the waters in this state or on
5 the banks of any stream, or on any land or water owned, operated or leased by the state, any
6 board, department, agency or commission thereof or on any land or water owned, operated or
7 leased by the federal government or on any private real property owned by another without his
8 **or her** consent.

9 2. Littering is a class A misdemeanor; **except that, if the offense involves cigarettes**
10 **or cigars, the fine imposed under this section shall be twice the amount imposed for an**
11 **offense not involving cigarettes or cigars.**

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