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**SUBSTITUTE HOUSE BILL 2331**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** House Committee on Environmental Affairs (originally sponsored by Representatives Valle, Horn, Rust, D. Sommers, Sprenkle, Franklin, Nealey and J. Kohl)

Read first time 01/24/92.

1 AN ACT Relating to penalties for littering; amending RCW 70.93.060,  
2 70.93.070, and 70.95.240; and prescribing penalties.

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

4 **Sec. 1.** RCW 70.93.060 and 1983 c 277 s 1 are each amended to read  
5 as follows:

6 (1) No person shall throw, drop, deposit, discard, or otherwise  
7 dispose of litter upon any public property in the state or upon private  
8 property in this state not owned by him or in the waters of this state  
9 whether from a vehicle or otherwise including but not limited to any  
10 public highway, public park, beach, campground, forest land,  
11 recreational area, trailer park, highway, road, street, or alley  
12 except:

13 ~~((1))~~ (a) When ~~((such))~~ the property is designated by the state  
14 or ~~((by any of))~~ its agencies or political subdivisions for the

1 disposal of garbage and refuse, and ~~((such))~~ the person is authorized  
2 to use such property for ~~((such))~~ that purpose;

3 ~~((2))~~ (b) Into a litter receptacle in ~~((such))~~ a manner that  
4 ~~((the litter))~~ will ~~((be prevented))~~ prevent litter from being carried  
5 away or deposited by the elements upon any part of said private or  
6 public property or waters.

7 ~~((Any person violating the provisions of this section shall be  
8 guilty of a misdemeanor and the fine for such violation shall not be  
9 less than fifty dollars for each offense. In addition thereto, except  
10 where infirmity or age or other circumstance would create a hardship,  
11 such person shall be directed by the court in which conviction is  
12 obtained to pick up and remove litter from public property and/or  
13 private property, with prior permission of the legal owner, for not  
14 less than eight hours nor more than sixteen hours for each separate  
15 offense. The court shall schedule the time to be spent on such  
16 activities in such a manner that it does not interfere with the  
17 person's employment and does not interfere substantially with the  
18 person's family responsibilities))~~

19 (2)(a) It is a class 4 civil infraction as defined in RCW 7.80.120  
20 for a person to litter in an amount less than or equal to one cubic  
21 foot.

22 (b) It is a class 1 civil infraction as defined in RCW 7.80.120 for  
23 a person to litter in an amount greater than one cubic foot. Unless  
24 suspended or modified by a court, the person shall also pay a litter  
25 cleanup fee of fifty dollars per cubic foot of litter.

26 **Sec. 2.** RCW 70.93.070 and 1983 c 277 s 2 are each amended to read  
27 as follows:

28 The director shall prescribe the procedures for the collection of  
29 ~~((fines and bail forfeitures including the imposition of additional~~

1 ~~penalty charges for late payment of fines)) penalties, costs, and other~~  
2 ~~charges allowed by chapter 7.80 RCW for violations of this chapter.~~  
3 Included in the procedures shall be provisions requiring ~~((the~~  
4 ~~distribution of))~~ that one-half of the monetary amount ~~((of fines))~~  
5 ~~actually collected ((under the enforcement))~~ by the state or local  
6 government entity enforcing the provisions of this chapter ~~((by a local~~  
7 ~~governmental agency to))~~ be distributed to that local governmental  
8 ~~((agency))~~ entity.

9 **Sec. 3.** RCW 70.95.240 and 1969 ex.s. c 134 s 24 are each amended  
10 to read as follows:

11 (1) After the adoption of regulations or ordinances by any county,  
12 city, or jurisdictional board of health providing for the issuance of  
13 permits as provided in RCW 70.95.160, it shall be unlawful for any  
14 person to dump or deposit or permit the dumping or depositing of any  
15 solid waste onto or under the surface of the ground or into the waters  
16 of this state except at a solid waste disposal site for which there is  
17 a valid permit ~~((: PROVIDED, That nothing herein))~~. This section shall  
18 not prohibit a person from dumping or depositing solid waste resulting  
19 from his own activities onto or under the surface of ground owned or  
20 leased by him when such action does not violate statutes or ordinances,  
21 or create a nuisance. ~~((Any person violating this section shall be~~  
22 ~~guilty of a misdemeanor))~~

23 (2)(a) It is a class 4 civil infraction as defined in RCW 7.80.120  
24 for a person to litter in an amount less than or equal to one cubic  
25 foot.

26 (b) It is a class 1 civil infraction as defined in RCW 7.80.120 for  
27 a person to litter in an amount greater than one cubic foot. Unless  
28 suspended or modified by a court, the person shall also pay a litter  
29 cleanup fee of fifty dollars per cubic foot of litter.