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**SUBSTITUTE HOUSE BILL 1153**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** House Committee on Judiciary (originally sponsored by Representatives Winsley, Rust, Horn, Valle, Edmondson, Neher, Cole, Anderson, Ferguson, Jacobsen, Rasmussen, R. Johnson, Paris, Scott, Betrozoff, Nealey and Sprenkle).

Read first time February 28, 1991.

1 AN ACT Relating to the penalty for littering; amending RCW  
2 70.93.060; 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 No person shall throw, drop, deposit, discard, or otherwise dispose  
7 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) When such property is designated by the state or by any of its  
14 agencies or political subdivisions for the disposal of garbage and

1 refuse, and such person is authorized to use such property for such  
2 purpose;

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

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