



General Assembly

**Substitute Bill No. 5387**

January Session, 2011

\* \_\_\_\_\_HB05387ENVJUD032211\_\_\_\_\_\*

**AN ACT ESTABLISHING A FINE FOR THE SUBSEQUENT ILLEGAL DUMPING OF LITTER.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (a) and (b) of section 22a-250 of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2011*):

4 (a) No person shall throw, scatter, spill or place or cause to be  
5 blown, scattered, spilled, thrown or placed, or otherwise dispose of  
6 any litter (1) upon any public property in the state, (2) upon any public  
7 land in the state, (3) upon any private property in this state not owned  
8 by such person, or (4) in the waters of this state, including, but not  
9 limited to, any public highway, public park, beach, campground, forest  
10 land, recreational area, mobile manufactured home park, highway,  
11 road, street or alley except: (A) When such property is designated by  
12 the state or any political subdivision thereof for the disposal of garbage  
13 and refuse, and such person is authorized to use such property for  
14 such purpose; or (B) into a litter receptacle in such a manner that the  
15 litter will be prevented from being carried away or deposited by the  
16 elements upon any part of said private or public property or waters.  
17 For the purposes of this subsection, "public land" means a state park,  
18 state forest or municipal park or any other publicly-owned land that is  
19 open to the public for active or passive recreation.

20 (b) (1) (A) Any person who violates any provision of subsection (a)  
 21 of this section shall be fined not more than one hundred ninety-nine  
 22 dollars for the first offense; and (B) any person who violates any  
 23 provision of subsection (a) of this section on a second or subsequent  
 24 occasion shall be fined not more than five hundred dollars. One-half of  
 25 any fine collected pursuant to this subsection shall be payable to the  
 26 state and one-half of such fine shall be payable to the municipality in  
 27 which the arrest was made unless the arrest was made by a  
 28 conservation officer, special conservation officer or patrolman  
 29 appointed by the Commissioner of Environmental Protection under  
 30 authority of section 26-5, in which case one-half of such fine shall be  
 31 payable to the Department of Environmental Protection.

32 (2) Whenever any person is convicted of a violation of subdivision  
 33 (2) of subsection (a) of this section, the court shall, in addition to  
 34 imposing the fine authorized by subdivision (1) of this subsection,  
 35 impose a surcharge in an amount equal to fifty per cent of such fine.  
 36 Any such surcharge collected pursuant to this subdivision shall be  
 37 payable to the municipality in which the arrest was made unless the  
 38 arrest was made by a conservation officer, special conservation officer  
 39 or patrolman appointed by the Commissioner of Environmental  
 40 Protection under authority of section 26-5, in which case such  
 41 surcharge shall be payable to the Department of Environmental  
 42 Protection.

43 (3) When any such material or substances are thrown, blown,  
 44 scattered or spilled from a vehicle, the operator thereof shall be  
 45 deemed prima facie to have committed such offense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	22a-250(a) and (b)

**ENV**

*Joint Favorable Subst. C/R*

**JUD**