



Substitute House Bill No. 5189

Public Act No. 16-122

AN ACT AUTHORIZING AN ADMINISTRATIVE PENALTY FOR CERTAIN LITTERING VIOLATIONS AND REQUIRING CERTAIN REPORTS AND DISCLOSURES BY PRODUCT STEWARDSHIP ORGANIZATIONS IN THE STATE.

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

Section 1. Subsection (b) of section 22a-250 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(b) (1) Any person who violates any provision of subsection (a) of this section shall be fined not more than one hundred ninety-nine dollars. One-half of any fine collected pursuant to this subsection shall be payable to the state and one-half of such fine shall be payable to the municipality in which the arrest was made unless the arrest was made by a conservation officer, special conservation officer or patrolman appointed by the Commissioner of Energy and Environmental Protection under authority of section 26-5, in which case one-half of such fine shall be payable to the Department of Energy and Environmental Protection. Any municipality, after conducting a hearing in accordance with an ordinance adopted pursuant to section 7-152c, may assess a separate administrative penalty of not more than five hundred dollars upon the responsible party or property owner, as

Substitute House Bill No. 5189

applicable, if such litter includes any item of furniture or any discarded item listed in subsection (d) of this section.

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

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

Sec. 2. (*Effective from passage*) Not later than January 1, 2017, the representative organization, as described in section 22a-904a of the general statutes, shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to the environment, in accordance with the provisions of section 11-4a of the general statutes, on the efforts that such organization is undertaking to assure the availability, at retail, of remanufactured architectural paint in this state and on the factors that led to a fiscal surplus in the operation of such paint stewardship program and the representative organization's plan for assuring that such program does not generate a fiscal surplus.

Sec. 3. (*Effective from passage*) Any product stewardship organization that operates in this state shall submit to the Department of Energy and Environmental Protection certified audited financial statements

Substitute House Bill No. 5189

and the names of any contractors and organizations with which such product stewardship organization has a contract with a value of two thousand dollars or more. Such submission shall be made not later than May first of each year. The department shall post and maintain such postings on the department's Internet web site.

Approved June 9, 2016