



General Assembly

Amendment

January Session, 2017

LCO No. 6312



Offered by:
SEN. KENNEDY, 12th Dist.

To: Subst. Senate Bill No. 996

File No. 417

Cal. No. 212

**"AN ACT ESTABLISHING A BOTTLE RECYCLING FEE IN LIEU OF
A REFUNDABLE DEPOSIT."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsections (a) and (b) of section 22a-250 of the general
4 statutes are repealed and the following is substituted in lieu thereof
5 (*Effective July 1, 2018*):

6 (a) No person shall throw, scatter, spill or place or cause to be
7 blown, scattered, spilled, thrown or placed, or otherwise dispose of
8 any litter (1) upon any public property in the state, (2) upon any public
9 land in the state, (3) upon any private property in this state not owned
10 by such person, or (4) in the waters of this state, including, but not
11 limited to, any public highway, public park, beach, campground, forest
12 land, recreational area, mobile manufactured home park, highway,
13 road, street or alley except: (A) When such property is designated by
14 the state or any political subdivision thereof for the disposal of garbage
15 and refuse, and such person is authorized to use such property for

16 such purpose; or (B) into a litter receptacle in such a manner that the
17 litter will be prevented from being carried away or deposited by the
18 elements upon any part of said private or public property or waters.
19 For the purposes of this subsection, "public land" means a state park,
20 state forest or municipal park or any other publicly owned land that is
21 open to the public for active or passive recreation.

22 (b) (1) Any person who violates any provision of subsection (a) of
23 this section shall be fined not more than [one hundred ninety-nine]
24 three hundred dollars. One-half of any fine collected pursuant to this
25 subsection shall be payable to the state and one-half of such fine shall
26 be payable to the municipality in which the arrest was made unless the
27 arrest was made by a conservation officer, special conservation officer
28 or patrolman appointed by the Commissioner of Energy and
29 Environmental Protection under authority of section 26-5, in which
30 case one-half of such fine shall be payable to the Department of Energy
31 and Environmental Protection. Any municipality, after conducting a
32 hearing in accordance with an ordinance adopted pursuant to section
33 7-152c, may assess a separate administrative penalty of not more than
34 five hundred dollars upon the responsible party or property owner, as
35 applicable, if such litter includes any item of furniture or any
36 discarded item listed in subsection (d) of this section.

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

48 (3) When any such material or substances are thrown, blown,

49 scattered or spilled from a vehicle, the operator thereof shall be
50 deemed prima facie to have committed such offense."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>July 1, 2018</i>	22a-250(a) and (b)