

FISCAL NOTE

SB 467 - HB 696

February 18, 2005

SUMMARY OF BILL: Amends current litter control law by: (1) increasing the fine for a first criminal littering conviction, a Class B misdemeanor, from \$200 up to \$500; (2) reducing the time requirement to remove trash from the state and local highway system from “not less than 14 hours nor more than six months” to “not less than four hours and nor more than 30 hours” for each person’s first criminal littering conviction; (3) increasing the fine for a second criminal littering conviction (occurring within three years of the first offense) from \$500 up to \$1,000; and (4) reducing the time requirement to remove trash from the state and local highway system from “not less than 40 hours nor more than six months” to “not less than 30 hours and nor more than 90 hours” for each person’s second criminal littering conviction (occurring within three years of the first offense).

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Revenues – Exceeds \$100,000

Assumptions:

- Two local government municipalities (Putnam County and Know County) were contacted to determine the effectiveness of litter control programs utilizing increased fines as the main deterrent to control criminal littering.
- Both municipalities claim that it has proved difficult to recover monetary penalties in littering cases because offenders are not held in custody.
- 1,000 criminal littering convictions per year.
- 80% (or 800) first offenses; 20% (or 200) second offenses.
- Incremental revenue generated from each first offense is \$300; incremental revenue generated from each second offense is \$500.
- Estimated increase in revenues from incremental fines is \$340,000 (800 X \$300) + (200 X \$500) = \$340,000).
- 40% collection ratio nets approximately \$136,000 in additional local government revenue.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director