MR. SPEAKER:

I move that Engrossed Senate Bill 253 be amended to read as follows:

1 Page 1, between lines 8 and 9, begin a new paragraph and insert:
2 "SECTION 2. IC 14-15-2-8 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. (a) This section
4 does not apply to a body of water that is under the jurisdiction of
5 the:
6 (1) department; or
7 (2) United States Army Corps of Engineers.
8 (b) As used in this section, "litter" means bottles, glass, crockery,
9 cans, scrap metal, junk, paper, garbage, rubbish, plastic, or similar
10 refuse.
11 (c) In the operation or use of watercraft, a person may not throw,
12 dump, place, deposit, or cause or permit to be thrown, dumped, placed,
13 or deposited:
14 (1) any litter, filth, or putrid or unwholesome substance; or
15 (2) the contents of a water closet or toilet, catch basin, or grease
16 trap;
17 in or upon public water or the banks of public water."

Page 3, between lines 30 and 31, begin a new paragraph and insert:
"SECTION 5. IC 35-45-3-2 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) A person who
recklessly, knowingly, or intentionally places or leaves refuse on
property of another person, except in a container provided for refuse,
commits littering, a Class B infraction. However, the offense is a Class
A misdemeanor if the refuse is placed or left in, on, or within one
hundred (100) feet of a body of water that is under the jurisdiction
of the:

(1) department of natural resources; or

(2) United States Army Corps of Engineers.

(b) "Refuse" includes solid and semisolid wastes, dead animals, and offal.

(c) Evidence that littering was committed from a moving vehicle other than a public conveyance constitutes prima facie evidence that it was committed by the operator of that vehicle.

Page 3, after line 39, begin a new paragraph and insert:

"SECTION 8. [EFFECTIVE JULY 1, 2006] IC 35-45-3-2, as amended by this act, applies only to offenses committed after June 30, 2006."

Renumber all SECTIONS consecutively.

(Reference is to ESB 253 as printed February 14, 2006.)

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Representative Goodin