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# HOUSE BILL No. 1170

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 14-15-2-15; IC 35-45-3-2.

**Synopsis:** Littering. Makes depositing litter, filth, a putrid or unwholesome substance, or the contents of a toilet, catch basin, or grease trap: (1) from a watercraft; and (2) into or upon public waters or the banks of public waters; a Class A infraction instead of a Class B infraction. Makes littering a Class A infraction instead of a Class B infraction if refuse is placed or left in, on, or within 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. Requires that a civil judgment of at least \$1,000 be imposed for these Class A infractions.

**Effective:** July 1, 2007.

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January 11, 2007, read first time and referred to Committee on Environmental Affairs.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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## HOUSE BILL No. 1170



A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 14-15-2-15 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 15. (a) Except as  
3 provided in subsection (b), a person who violates this chapter commits  
4 a Class C infraction.

5 (b) A person who violates section 8 of this chapter commits a ~~Class~~  
6 **B Class A** infraction. **Notwithstanding IC 34-28-5-4(a), a judgment**  
7 **of at least one thousand dollars (\$1,000) shall be imposed for each**  
8 **Class A infraction committed in violation of section 8 of this**  
9 **chapter.**

10 SECTION 2. IC 35-45-3-2 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) A person who  
12 recklessly, knowingly, or intentionally places or leaves refuse on  
13 property of another person, except in a container provided for refuse,  
14 commits littering, a Class B infraction. **However, the offense is a**  
15 **Class A infraction if the refuse is placed or left in, on, or within one**  
16 **hundred (100) feet of a body of water that is under the jurisdiction**  
17 **of the:**



1           **(1) department of natural resources; or**  
2           **(2) United States Army Corps of Engineers.**  
3       **Notwithstanding IC 34-28-5-4(a), a judgment of at least one**  
4       **thousand dollars (\$1,000) shall be imposed for each Class A**  
5       **infraction committed under this section.**  
6           (b) "Refuse" includes solid and semisolid wastes, dead animals, and  
7       offal.  
8           (c) Evidence that littering was committed from a moving vehicle  
9       other than a public conveyance constitutes prima facie evidence that it  
10       was committed by the operator of that vehicle.

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