SENATE BILL NO. 91

INTRODUCED BY D. EMRICH

BY REQUEST OF THE STATE PUBLIC DEFENDER

A BILL FOR AN ACT ENTITLED: “AN ACT ELIMINATING JAIL PENALTIES FOR LITTERING; AND AMENDING SECTION 75-10-233, MCA.”

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 75-10-233, MCA, is amended to read:

"**75-10-233. Dumping penalty -- enforcement.** (1) A person found guilty of a violation of 75-10-212 shall be fined in the sum not exceeding ~~$100~~ $500 ~~or imprisoned in the county jail for a period not exceeding 30 days, or both~~.

(2) A person found absolutely liable under 75-10-212 is subject to a civil penalty not to exceed $5,000.

(3) The provisions of 75-10-212 must be enforced by all highway patrol officers, sheriffs, and police officers and by all other enforcement agencies and officers of the state of Montana. In addition, game wardens have the right to enforce the provisions of 75-10-212 on public property and on private property where public recreation is permitted."

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