

Corrected Sponsor

Senate Bill 607

Sponsored by COMMITTEE ON JUDICIARY (at the request of Deb Schallert)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates offense of unlawful disposal of tobacco product. Punishes by maximum fine of \$90.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to unlawful disposal of a tobacco product; amending ORS 164.805; and declaring an emer-
3 gency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 164.805 is amended to read:

6 164.805. (1) A person commits the crime of offensive littering if the person creates an
7 objectionable stench or degrades the beauty or appearance of property or detracts from the natural
8 cleanliness or safety of property by intentionally:

9 (a) Discarding or depositing any rubbish, trash, garbage, debris or other refuse upon the land
10 of another without permission of the owner, or upon any public way or in or upon any public
11 transportation facility;

12 (b) Draining, or causing or permitting to be drained, sewage or the drainage from a cesspool,
13 septic tank, recreational or camping vehicle waste holding tank or other contaminated source, upon
14 the land of another without permission of the owner, or upon any public way; or

15 (c) Permitting any rubbish, trash, garbage, debris or other refuse to be thrown from a vehicle
16 that the person is operating. This subsection does not apply to a person operating a vehicle trans-
17 porting passengers for hire subject to regulation by the Interstate Commerce Commission or the
18 Department of Transportation or a person operating a school bus described under ORS 801.460.

19 **(2) A person commits the offense of unlawful disposal of a tobacco product if the person**
20 **knowingly disposes of a cigarette or cigar or the filter from a cigarette or cigar upon the**
21 **land of another without permission of the owner, or upon any public way or in or upon any**
22 **public transportation facility.**

23 [(2)] (3) As used in this section:

24 (a) **“Cigar” has the meaning given that term in ORS 323.500.**

25 (b) **“Cigarette” has the meaning given that term in ORS 323.010.**

26 [(a)] (c) “Public transportation facility” has the meaning given that term in ORS 164.365.

27 [(b)] (d) “Public way” includes, but is not limited to, roads, streets, alleys, lanes, trails, beaches,
28 parks and all recreational facilities operated by the state, a county or a local municipality for use
29 by the general public.

30 [(3)] (4)(a) Offensive littering is a Class C misdemeanor.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **(b) Unlawful disposal of a tobacco product is a Class D violation.**

2 **SECTION 2.** **This 2011 Act being necessary for the immediate preservation of the public**
3 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
4 **on its passage.**

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