

# House Bill 2593

Sponsored by Representative MORGAN; Representative HELFRICH, Senators THATCHER, WEBER (Pre-session filed.)

## 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**.

Reduces penalties for crime of offensive littering in certain circumstances. Punishes by maximum fine of \$1,000 when person discards or deposits, or permits to be thrown from person's vehicle, less than one cubic foot of rubbish, trash, garbage, debris or other refuse.

## A BILL FOR AN ACT

1  
2 Relating to offensive littering; creating new provisions; and amending ORS 164.805.

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

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

5 164.805. (1) A person commits the crime of offensive littering if the person creates an  
6 objectionable stench or degrades the beauty or appearance of property or detracts from the natural  
7 cleanliness or safety of property by intentionally:

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

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

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

18 (2) As used in this section:

19 (a) "Public transportation facility" has the meaning given that term in ORS 164.365.

20 (b) "Public way" includes, but is not limited to, roads, streets, alleys, lanes, trails, beaches, parks  
21 and all recreational facilities operated by the state, a county or a local municipality for use by the  
22 general public.

23 *[(3) Offensive littering is a Class C misdemeanor.]*

24 **(3)(a)(A) Except as provided in subparagraph (B) of this paragraph, offensive littering**  
25 **under subsection (1)(a) of this section is a Class B violation.**

26 **(B) Offensive littering under subsection (1)(a) of this section is a Class C misdemeanor**  
27 **if the person discards or deposits one cubic foot or more of rubbish, trash, garbage, debris**  
28 **or other refuse.**

29 **(b) Offensive littering under subsection (1)(b) of this section is a Class C misdemeanor.**

30 **(c)(A) Except as provided in subparagraph (B) of this paragraph, offensive littering under**

**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 subsection (1)(c) of this section is a Class B violation.

2 (B) Offensive littering under subsection (1)(c) of this section is a Class C misdemeanor  
3 if the person permits one cubic foot or more of rubbish, trash, garbage, debris or other re-  
4 fuse to be thrown from the vehicle.

5 SECTION 2. The amendments to ORS 164.805 by section 1 of this 2023 Act apply to con-  
6 duct occurring on or after the effective date of this 2023 Act.

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