House Bill 2593

Sponsored by Representative MORGAN; Representative HELFRICH, Senators THATCHER, WEBER (Presession 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

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

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

SECTION 1. ORS 164.805 is amended to read:

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

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

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

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

(2) As used in this section:

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

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

(3) Offensive littering is a Class C misdemeanor.

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

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

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

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

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

SECTION 2. The amendments to ORS 164.805 by section 1 of this 2023 Act apply to conduct occurring on or after the effective date of this 2023 Act.