

HB5178



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5178

Introduced 2/8/2012, by Rep. Deborah Mell

SYNOPSIS AS INTRODUCED:

415 ILCS 105/8

from Ch. 38, par. 86-8

Amends the Litter Control Act. Provides that a person who violates a specific provision of the Act is subject to a mandatory minimum fine of \$50.

LRB097 18396 JDS 63622 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Litter Control Act is amended by changing
5 Section 8 as follows:

6 (415 ILCS 105/8) (from Ch. 38, par. 86-8)

7 Sec. 8. Persons who violate any of Sections 4 through 7 are
8 subject to the penalties set out in this Section.

9 (a) Any person convicted of a violation of Section 4, 5, 6
10 or 7 is guilty of a Class B misdemeanor. A second conviction
11 for an offense committed after the first conviction is a Class
12 A misdemeanor. A third or subsequent violation, committed after
13 a second conviction is a Class 4 felony.

14 (b) In addition to any fine imposed under this Act, the
15 court may order that the person convicted of such a violation
16 remove and properly dispose of the litter, may employ special
17 bailiffs to supervise such removal and disposal, and may tax
18 the costs of such supervision as costs against the person so
19 convicted.

20 (c) The penalties prescribed in this Section are in
21 addition to, and not in lieu of, any penalties, rights,
22 remedies, duties or liabilities otherwise imposed or conferred
23 by law.

1 (d) An individual convicted of violating Section 4 or
2 Section 5 of this Act by disposing of litter upon a public
3 highway may, in addition to any other penalty, be required to
4 maintain litter control for 30 days over a designated portion
5 of that highway, including, at the discretion of the agency
6 having jurisdiction over the section of highway in question,
7 the site where the offense occurred, as provided in Section 50
8 of the Illinois Adopt-A-Highway Act.

9 (e) A mandatory minimum fine of \$50 must be imposed against
10 any person who is convicted of violating Section 5 of this Act.

11 (Source: P.A. 94-1044, eff. 1-1-07.)