

# House Bill 2959

Sponsored by COMMITTEE ON JUDICIARY (at the request of League of Oregon Cities)

## 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**.

Expands crime of offensive littering to include discharge of human waste. Punishes by maximum of 30 days' imprisonment, \$1,250 fine, or both.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to offensive littering; creating new provisions; amending ORS 164.805; and declaring an  
3 emergency.

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, **discharging** or depositing any rubbish, trash, garbage, debris, **human waste** or  
10 other refuse upon the land of another without permission of the owner, or upon any public way or  
11 in or upon any public 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 Department of Transportation or a person  
18 operating a school bus described under ORS 801.460.

19 (2) As used in this section:

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

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

24 (3) Offensive littering is a Class C misdemeanor.

25 **SECTION 2.** The amendments to ORS 164.805 by section 1 of this 2019 Act apply to con-  
26 duct occurring on or after the effective date of this 2019 Act.

27 **SECTION 3.** This 2019 Act being necessary for the immediate preservation of the public  
28 peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect  
29 on its passage.  
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**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.