

D R A F T

SUMMARY

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

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

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, **discharging** or depositing any rubbish, trash, garbage,
debris, **human waste** 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

1 subject to regulation by the Department of Transportation or a person op-
2 erating a school bus described under ORS 801.460.

3 (2) As used in this section:

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

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

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

10 **SECTION 2. The amendments to ORS 164.805 by section 1 of this**
11 **2019 Act apply to conduct occurring on or after the effective date of**
12 **this 2019 Act.**

13 **SECTION 3. This 2019 Act being necessary for the immediate pres-**
14 **ervation of the public peace, health and safety, an emergency is de-**
15 **clared to exist, and this 2019 Act takes effect on its passage.**

16
