

March 21, 2007

S 1202. LITTER VIOLATION REPORTED BY CITIZEN. Filed 3/21/07. *TO PROVIDE THAT A CITATION MAY BE ISSUED FOR A LITTERING OFFENSE THAT INVOLVES THE OPERATION OF A MOTOR VEHICLE BASED ON THE AFFIDAVIT OF A WITNESS.*

Enacts GS 14-399.3 providing that a civil penalty for littering may be assessed based on a witness's affidavit. A violation is non-criminal and a civil penalty of \$100 applies, which may be increased by \$25 for failure to pay or respond to the citation. The clear proceeds of civil penalties are remitted to the Civil Penalty and Forfeiture Fund and the actual costs of collection, capped at 20% of the amount collected, are remitted to the clerk of court to be credited to the magistrate's office. The Administrative Office of the Courts (AOC) must establish implementing procedures. Amends GS 7A-292 to allow magistrates to accept filings of affidavits reporting littering violations, to issue littering citations, and to hear and enter judgment in these cases. Effective when the bill becomes law, requires the AOC to develop an affidavit for reporting violations. Except as noted, effective December 1, 2007.

Intro. by Jacumin.

GS 14

June 25, 2007

S 1202. EST. COMMISSION ON LITTERING/STUDY (NEW). Filed 3/21/07. Senate committee substitute deletes the provisions of the 1st edition and replaces it with *AN ACT TO ESTABLISH THE COMMISSION TO REDUCE LITTERING TO STUDY AND DEVELOP ALTERNATIVE MECHANISMS TO ENFORCE LITTERING STATUTES FOR VIOLATIONS THAT INVOLVE THE OPERATION OF A MOTOR VEHICLE OR A VESSEL.* Creates the 18-member Study Commission to Reduce Littering, to develop alternative ways of enforcing litter statutes for violations involving motor vehicles or vessels. Establishes the membership of the commission, the appointment of cochairs, and the procedure for filling vacancies. Requires the commission to report its findings by May 15, 2008, to the General Assembly. The commission terminates upon the earlier of the submission of its report or the convening of the 2008 Regular Session of the 2007 General Assembly.