

Assembly Bill No. 679

Passed the Assembly September 7, 2007

Chief Clerk of the Assembly

Passed the Senate September 5, 2007

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 1202.51 to the Penal Code, relating to illegal dumping.

LEGISLATIVE COUNSEL'S DIGEST

AB 679, Benoit. Illegal dumping: assessments.

Existing law establishes various offenses for littering and illegal dumping.

This bill would require the court to impose a fine on violators in addition to any other penalty or fine, in the amount of \$100 for an infraction or \$200 for a misdemeanor, as specified. The bill would require that the money from the fines be deposited in the city's or county's general fund for use for illegal dumping enforcement, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 1202.51 is added to the Penal Code, to read:

1202.51. In any case in which a defendant is convicted of any of the offenses enumerated in Section 372, 373a, 374.3, 374.4, 374.7, or 374.8, the court shall order the defendant to pay a fine of one hundred dollars (\$100) if the conviction is for an infraction or two hundred dollars (\$200) if the conviction is for a misdemeanor, in addition to any other penalty or fine imposed. If the court determines that the defendant has the ability to pay all or part of the fine, the court shall set the amount to be paid and order the defendant to pay that sum to the city or, if not within a city, the county, where the violation occurred, to be used for the city's or county's illegal dumping enforcement program. Notwithstanding any other provision of law, no state or county penalty, assessment, fee, or surcharge shall be imposed on the fine ordered under this section.

Approved _____, 2007

Governor