

AMENDED IN ASSEMBLY MARCH 26, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 1216

Introduced by Assembly Member Bauer-Kahan

February 21, 2019

An act to add and repeal Section 376 of the Penal Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1216, as amended, Bauer-Kahan. Solid waste: illegal dumping.

Existing law makes it unlawful to dump waste matter in certain locations, such as upon a public or private highway or road, upon private property without the consent of the owner, or in or upon a public park or other public property, as specified. Existing law also makes it unlawful to place, deposit, or dump rocks, concrete, asphalt, or dirt in certain locations, as specified. Existing law makes a person who violates these provisions guilty of an infraction punishable by specified fines. Existing law also makes it a misdemeanor to place, deposit, or dump waste matter in commercial quantities, as defined, in certain locations.

This bill would authorize the counties of Alameda and Contra Costa to establish a pilot program to employ 2 law enforcement officers, one from each county, solely for the purpose of enforcing dumping laws in those counties. The bill would require the counties to jointly submit a report to the Legislature evaluating the program on or before July 1, 2021.

~~Existing law makes it a misdemeanor to place, deposit, or dump, or to cause to be placed, deposited, or dumped, or to cause or allow to overflow, sewage, sludge, cesspool or septic tank effluent, accumulation of human excreta, or solid waste, in or upon a street, alley, public~~

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~~highway, or road in common use or upon a public park or other public property other than property designated or set aside for that purpose by the governing board or body having charge of the property, or upon private property without the owner's consent.~~

~~This bill would state the intent of the Legislature to enact legislation that would address illegal dumping.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

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

1 SECTION 1. Section 376 is added to the Penal Code, to read:
2 376. (a) The counties of Alameda and Contra Costa may
3 establish a pilot program to employ two law enforcement officers,
4 one from each county, solely for the purpose of enforcing dumping
5 laws in those counties.
6 (b) (1) On or before July 1, 2021, the counties that established
7 a project pursuant to subdivision (a) shall jointly submit a report
8 to the Legislature evaluating the effectiveness of the project.
9 (2) A report to be submitted pursuant to subdivision (b) shall
10 be submitted in compliance with Section 9795 of the Government
11 Code.
12 (c) This section shall remain in effect only until January 1, 2022,
13 and as of that date is repealed.
14 ~~SECTION 1. It is the intent of the Legislature to enact~~
15 ~~legislation that would address illegal dumping.~~

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