

SENATE No. 1121

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to preventing ocean littering.

PETITION OF:

NAME:

Patrick M. O'Connor

DISTRICT/ADDRESS:

Plymouth and Norfolk

SENATE No. 1121

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 1121) of Patrick M. O'Connor for legislation relative to preventing ocean littering. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to preventing ocean littering.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 16 of Chapter 270 of the General Laws, as so appearing, is hereby amended by
2 striking the section in its entirety and replacing it with the following:-

3 “Section 16. Whoever places, throws, deposits or discharges or whoever causes to be
4 placed, thrown, deposited or discharged, trash, bottles or cans, refuse, rubbish, garbage, debris,
5 scrap, waste or other material of any kind on a public highway or within 20 yards of a public
6 highway, or on any other public land, or on property of another, or on lands dedicated for open
7 space purposes, including lands subject to conservation restrictions and agricultural preservation
8 restrictions as defined in chapter 184, shall be punished by a fine of not more than \$5,500 for the
9 first offense and a fine not to exceed \$15,000 for each subsequent offense; provided, however,
10 that 50 per cent of the fine imposed shall be deposited in the conservation trust established in
11 section 1 of chapter 132A and the court may also require that the violator remove, at his own
12 expense, the trash, refuse, rubbish, debris or materials. The permission of the owner of land to

13 place, throw, deposit or discharge trash, refuse, rubbish, garbage, debris, scrap, waste or other
14 material on the owner's land shall constitute a defense in any trial for such offense.

15 Whoever places, throws, deposits or discharges or whoever causes to be placed, thrown,
16 deposited or discharged, trash, bottles or cans, refuse, rubbish, garbage, debris, scrap, waste or
17 other material of any kind upon coastal or inland waters, as defined in section 1 of chapter 131,
18 or within 20 yards of such waters shall be punished by a fine of not more than \$6,800 for the first
19 offense and a fine not to exceed \$18,750 for each subsequent offense; provided, however, that 50
20 per cent of the fine imposed shall be deposited in the conservation trust established in section 1
21 of chapter 132A and the court may also require that the violator remove, at his own expense, the
22 trash, refuse, rubbish, debris or materials.”