

SENATE BILL No. 303

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-22.5-7.

Synopsis: Pipeline safety. Makes the following changes to the Indiana statute governing pipeline safety to reflect similar provisions in federal law: (1) Increases the amount of the civil penalty for a violation of the statute from \$25,000 per violation per day that the violation persists to \$200,000 per violation per day that the violation persists. (2) Increases the maximum civil penalty from \$1,000,000 to \$2,000,000 for any related series of violations.

Effective: Upon passage.

Merritt

January 14, 2014, read first time and referred to Committee on Utilities.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 303



A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-22.5-7, AS AMENDED BY P.L.118-2006,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 7. (a) A person who is engaged in
4 transportation or owns, operates, or leases pipeline facilities who
5 violates any provision of this chapter or any regulations issued pursuant
6 to this chapter, is subject to a civil penalty not to exceed ~~twenty-five~~
7 **two hundred** thousand dollars (~~\$25,000~~) (**\$200,000**) for each violation
8 for each day that the violation persists. However, the maximum civil
9 penalty may not exceed ~~one~~ **two** million dollars (~~\$1,000,000~~)
10 (**\$2,000,000**) for any related series of violations.

11 (b) The commission may, after notice and opportunity for public
12 hearing, impose a civil penalty not to exceed the amount specified in
13 subsection (a) against a person who violates this chapter or any rules
14 issued pursuant to this chapter, and may compromise and collect the
15 penalties which are payable to the state as otherwise provided by law.
16 However, a penalty may not be assessed or collected for any violation



1 for which the person has been found liable under 49 U.S.C. 60101 et
2 seq.

3 SECTION 2. **An emergency is declared for this act.**

