

**54-8a-12 Enforcement -- Attorney general.**

- (1)
- (a) The attorney general may bring an action in the district court located in the county in which the excavation is located to enforce this chapter.
  - (b) The right of any person to bring a civil action for damage arising from an excavator's or operator's actions or conduct relating to underground facilities is not affected by:
    - (i) a proceeding commenced by the attorney general under this chapter; or
    - (ii) the imposition of a civil penalty under this chapter.
  - (c) If the attorney general does not bring an action under Subsection (1)(a), the operator or excavator may pursue any remedy, including a civil penalty.
- (2) Any civil penalty imposed and collected under this chapter shall be deposited into the General Fund.

Enacted by Chapter 344, 2008 General Session