

HB0031S01 compared with HB0031

~~{deleted text}~~ shows text that was in HB0031 but was deleted in HB0031S01.

inserted text shows text that was not in HB0031 but was inserted into HB0031S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Stephen G. Handy proposes the following substitute bill:

NATURAL GAS AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: _____

LONG TITLE

~~{Committee Note:~~

~~— The Public Utilities and Technology Interim Committee recommended this bill.~~

~~{General Description:~~

This bill amends ~~{a provision}~~ provisions of the Public Utilities Code related to natural gas pipelines.

Highlighted Provisions:

This bill:

- ▶ modifies civil penalties for violating a provision of the Public Utilities Code ~~{.}~~ and
- ▶ requires a person engaged in intrastate pipeline transportation to maintain an inspection plan.

Money Appropriated in this Bill:

None

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Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

54-13-3, as enacted by Laws of Utah 1989, Chapter 131

54-13-8, as enacted by Laws of Utah 2011, Chapter 426

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 54-13-3 is amended to read:

54-13-3. Rules.

The commission shall adopt and enforce rules pursuant to Section 54-13-2 including rules which:

- (1) incorporate the safety standards established under the federal Natural Gas Pipeline Safety Act that are applicable to intrastate pipeline transportation; and
- (2) require persons engaged in intrastate pipeline transportation to:
 - (a) maintain records and to submit reports and information to the commission to enable the commission to determine whether the person is acting in compliance with this chapter or rules adopted under this chapter; and
 - (b) ~~file, with the commission for its approval,~~ maintain a plan for inspection and maintenance of each pipeline facility that is available to the commission upon commission request.

Section ~~54-13-2~~. Section **54-13-8** is amended to read:

54-13-8. Violation of chapter -- Penalty.

- (1) Any person engaged in intrastate pipeline transportation who is determined by the commission, after notice and an opportunity for a hearing, to have violated any provision of this chapter or any rule or order issued under this chapter, is liable for a civil penalty of not more than ~~[\$10,000]~~ \$100,000 for each violation for each day the violation persists.
- (2) The maximum civil penalty assessed under this section may not exceed ~~[\$500,000]~~ \$1,000,000 for any related series of violations.
- (3) The amount of the penalty shall be assessed by the commission by written notice.
- (4) In determining the amount of the penalty, the commission shall consider:

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- (a) the nature, circumstances, and gravity of the violation; and
- (b) with respect to the person found to have committed the violation:
 - (i) the degree of culpability;
 - (ii) any history of prior violations;
 - (iii) the effect on the person's ability to continue to do business;
 - (iv) any good faith in attempting to achieve compliance;
 - (v) the person's ability to pay the penalty; and
 - (vi) any other matter, as justice may require.

(5) (a) A civil penalty assessed under this section may be recovered in an action brought by the attorney general on behalf of the state in the appropriate district court, or before referral to the attorney general, it may be compromised by the commission.

(b) The amount of the penalty, when finally determined, or agreed upon in compromise, may be deducted from any sum owed by the state to the person charged.

(6) Any penalty collected under this section shall be deposited in the General Fund.

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Legislative Review Note

~~as of 11-20-14 5:26 PM~~

~~Office of Legislative Research and General Counsel~~