

1 ENGROSSED SENATE
2 BILL NO. 535

By: Bergstrom of the Senate

3 and

4 Lepak of the House

5
6 An Act relating to the Corporation Commission;
7 amending 17 O.S. 2011, Section 6.1, as amended by
8 Section 1, Chapter 185, O.S.L. 2016 (17 O.S. Supp.
9 2020, Section 6.1), which relates to pipeline safety;
increasing maximum daily and administrative penalty
amount; updating statutory language; and providing an
effective date.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 17 O.S. 2011, Section 6.1, as
14 amended by Section 1, Chapter 185, O.S.L. 2016 (17 O.S. Supp. 2020,
15 Section 6.1), is amended to read as follows:

16 A. Any person who has been determined by the Commission to have
17 violated any provision of any rule, regulation, or order issued
18 pursuant to the provisions of the Commission related to pipeline
19 safety shall be liable for a civil penalty of not more than ~~One~~
20 ~~Hundred Thousand Dollars (\$100,000.00)~~ Two Hundred Thousand Dollars
21 (\$200,000.00) for each day that ~~said~~ the violation continues. The
22 maximum civil penalty shall not exceed ~~One Million Dollars~~
23 ~~(\$1,000,000.00)~~ Two Million Dollars (\$2,000,000.00) for any related
24 series of violations.

1 B. The amount of the penalty shall be assessed by the
2 Commission pursuant to the provisions of subsection A of this
3 section, after notice and hearing. In determining the amount of the
4 penalty, the Commission shall include but not be limited to
5 consideration of the nature, circumstances, and gravity of the
6 violation and, with respect to the person found to have committed
7 the violation, the degree of culpability, the effect on ability of
8 the person to continue to do business, and any show of good faith in
9 attempting to achieve compliance with the provisions of the rules
10 and regulations of the Commission.

11 All penalties collected pursuant to the provisions of this
12 section shall be deposited into the Pipeline Enforcement Fund.

13 C. Any person who willfully and knowingly injures or destroys,
14 or attempts to injure or destroy, any pipeline transportation
15 system, upon conviction, shall be guilty of a felony and shall be
16 subject for each offense to a fine of not more than Twenty-five
17 Thousand Dollars (\$25,000.00) or imprisonment for a term not to
18 exceed fifteen (15) years or both such fine and imprisonment.

19 SECTION 2. This act shall become effective November 1, 2021.
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1 Passed the Senate the 9th day of March, 2021.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2021.

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9 Presiding Officer of the House
10 of Representatives
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