

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 ENGROSSED SENATE  
5 BILL NO. 536

By: Bergstrom of the Senate

6 and

7 Lepak of the House

8  
9  
10 An Act relating to oil and gas; amending 52 O.S.  
11 2011, Section 47.6, as amended by Section 2, Chapter  
12 185, O.S.L. 2016 (52 O.S. Supp. 2020, Section 47.6),  
13 which relates to pipeline safety; increasing maximum  
14 daily and administrative penalty amount; updating  
15 statutory language; and providing an effective date.

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

17 SECTION 1. AMENDATORY 52 O.S. 2011, Section 47.6, as  
18 amended by Section 2, Chapter 185, O.S.L. 2016 (52 O.S. Supp. 2020,  
19 Section 47.6), is amended to read as follows:

20 Section 47.6. A. Any person who has been determined by the  
21 Commission to have violated any provisions of the Hazardous Liquid  
22 Transportation System Safety Act or any rule, regulation, or order  
23 issued pursuant to the provisions of the Hazardous Liquid  
24 Transportation System Safety Act shall be liable for an

1 administrative penalty of not more than ~~One Hundred Thousand Dollars~~  
2 ~~(\$100,000.00)~~ Two Hundred Thousand Dollars (\$200,000.00) for each  
3 day that ~~said~~ the violation continues. The maximum administrative  
4 penalty shall not exceed ~~One Million Dollars (\$1,000,000.00)~~ Two  
5 Million Dollars (\$2,000,000.00) for any related series of  
6 violations.

7 B. 1. The amount of the penalty shall be assessed by the  
8 Commission pursuant to the provisions of subsection A of this  
9 section, after notice and hearing. In determining the amount of the  
10 penalty, the Commission shall include but not be limited to  
11 consideration of the nature, circumstances, and gravity of the  
12 violation and, with respect to the person found to have committed  
13 the violation, the degree of culpability, the effect on ability of  
14 the person to continue to do business, and any show of good faith in  
15 attempting to achieve compliance with the provisions of the  
16 Hazardous Liquid Transportation System Safety Act.

17 2. All penalties collected pursuant to the provisions of this  
18 subsection shall be deposited in the Pipeline Enforcement Fund.

19 C. Any person who willfully and knowingly injures or destroys,  
20 or attempts to injure or destroy, any hazardous liquid  
21 transportation system, upon conviction thereof, shall be guilty of a  
22 felony and shall be subject for each offense to a fine of not more  
23 than Twenty-five Thousand Dollars (\$25,000.00), imprisonment for a  
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1 term not less than five (5) years and not to exceed fifteen (15)  
2 years, or by both such fine and imprisonment.

3 SECTION 2. This act shall become effective November 1, 2021.

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5 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES,  
6 dated 04/01/2021 - DO PASS.

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