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2023 ASSEMBLY BILL 878

January 2, 2024 - Introduced by Representatives Summerfield, Dittrich, O'Connor and Subeck, cosponsored by Senators Bradley and Spreitzer. Referred to Committee on Energy and Utilities.

AUTHORS SUBJECT TO CHANGE

- 1 AN ACT to amend 196.745 (2) (a) of the statutes; relating to: increasing the
- 2 penalties for gas pipeline safety violations and providing a penalty.

Analysis by the Legislative Reference Bureau

The bill increases the maximum penalties for persons who fail to operate and maintain gas production, transmission, and distribution facilities in a reasonably adequate and safe manner. Current law requires gas production, transmission, and distribution facilities to be operated and maintained in a reasonably adequate and safe manner and authorizes the PSC to issue orders and rules to promote safety of those facilities. Under current law, a person who violates one of these PSC orders or rules or fails to operate and maintain gas production, transmission, and distribution facilities in a reasonably adequate and safe manner is subject to a forfeiture of up \$25,000 per day and a total forfeiture of up to \$500,000 for a single persisting violation. Under the bill, a violator is subject to a forfeiture of up to the maximum applicable penalty for such violations under federal regulations promulgated by the U.S. Department of Transportation. Currently, those federal regulations provide a maximum forfeiture of up to \$257,664 per day and a total forfeiture of up to \$2,576,627 for a related series of violations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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196.745 (2) (a) Any person violating sub. (1) (a), or any order or rule issued under sub. (1) (a), shall forfeit an amount not exceeding \$25,000. Each day of violation is a separate violation of sub. (1) (a). No person may forfeit an amount exceeding \$500,000 for a single persisting violation of sub. (1) (a) or any order or any rule issued under sub. (1) (a) the maximum applicable penalty under 49 CFR 190. The commission shall remit all forfeitures paid under this paragraph to the secretary of administration for deposit in the school fund.

8 (END)