

SENATE FILE NO. SF0073

Wyoming oil and gas conservation commission-penalties.

Sponsored by: Senator(s) Hawks and Representative(s)
Lockhart

A BILL

for

1 AN ACT relating to mines and minerals; amending penalties
2 that may be imposed by the Wyoming oil and gas conservation
3 commission; providing for payment of penalties into the
4 public school fund; providing for waiver of penalties; and
5 providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W. S. 30-5-127 is created to read:

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11 **30-5-127. Payment of penalties.**

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13 Any penalties collected pursuant to this article shall be
14 deposited in the public school fund of the appropriate
15 county as required by article 7, section 5 of the Wyoming
16 constitution.

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Section 2. W.S. 30-5-119(a) and by creating a new subsection (g) is amended to read:

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30-5-119. Penalties for violation of act, orders of commission; penalties cumulative.

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(a) Any person who violates any provision of this act or who after either actual or constructive notice thereof from the commission or its representative violates any rule, regulation, or order of the commission shall forfeit to the Wyoming oil and gas conservation fund an amount of not more than ~~five hundred dollars (\$500.00)~~ five thousand dollars (\$5,000.00) for each act of violation, and for each day that such violation continues, to be fixed and determined by the commission after notice and opportunity for hearing. Any person who knowingly and willfully violates any provision of this act or who after notice thereof from the commission or its representatives knowingly and willfully violates any rule, regulation, or order of the commission shall be subject to a civil penalty to be remitted and payable into the account of the Wyoming oil and gas conservation commission fund upon order of the district court of the county in which the defendant

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1 resides, or in which any defendant resides if there be more
2 than one defendant, or in the district court of any county
3 in which the violation occurred, or in the district court
4 of Laramie county, Wyoming, which said civil penalty shall
5 not exceed the sum of ~~one thousand dollars (\$1,000.00)~~ ten
6 thousand dollars (\$10,000.00) for each act of violation and
7 for each day that such violation continues.

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9 (g) The commission may waive any penalty under this
10 section for good cause.

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12 **Section 3.** This act is effective July 1, 2005.

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(END)