

## CHAPTER 92

S.B. No. 467

## AN ACT

relating to civil penalties for violations of pipeline safety standards.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subsection (C), Article 6053-1, Revised Statutes, is amended to read as follows:

(C) The Attorney General is authorized, on behalf of the Railroad Commission, to enforce said safety standards by injunction restraining violations thereof (including the restraint of transportation of gas or the operation of a pipeline facility). Any violation of such safety standards shall further be subject to a civil penalty, payable to the State of Texas, in an amount not to exceed \$25,000 [~~\$10,000~~] for each such violation for each day that such violation persists, except that the maximum civil penalty shall not exceed \$500,000 for any related series of violations. Any such civil penalty may be compromised by the Attorney General in consideration of the appropriateness of the penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance after notification of violation.

SECTION 2. Section 117.051, Natural Resources Code, is amended to read as follows:

Sec. 117.051. CIVIL PENALTY. A person who violates this chapter or a rule adopted by the commission under this chapter is subject to a civil penalty of not less than \$50 nor more than \$25,000 [~~\$10,000~~] for each act of violation and for each day of violation, provided that the maximum civil penalty that may be assessed for any related series of violations may not exceed \$500,000.

SECTION 3. (a) The changes in law made by this Act apply only to violations committed on or after the effective date of this Act. A violation committed before the effective date of this Act is covered by the law in effect when the violation was committed, and the former law is continued in effect for this purpose.

(b) For purposes of this section, a violation was committed before the effective date of this Act if any element of the violation occurred before that date.

SECTION 4. This Act takes effect September 1, 1993.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on March 24, 1993, by a viva-voce vote; passed the House on April 23, 1993, by a non-record vote.

Approved May 5, 1993.

Effective Sept. 1, 1993.