

**Subject** Penalties for Pollution Violations

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## Summary

House File 671, as amended by the H0671DE3 amendment, increases maximum penalty amounts for violations of environmental laws and for repeat violations.

The maximum fine for civil penalties ordered by a court for violations of regulations governing the pollution of air, water or land, is increased from a maximum of \$10,000 per day (established at that level in 1973) to \$70,000, and the maximum penalty for violations relating to hazardous waste is increased from \$25,000 to \$80,000 per day. Subsequent violations that occur within 36 months of a previous penalty must be at least 10 percent higher than the previous penalty.

Current law establishes a maximum amount for administrative penalty orders issued by the Pollution Control Agency, or by a county board that has passed an ordinance electing to issue them, of \$20,000 (set in 2014). This bill increases that maximum amount to \$25,000. It also requires that a repeated or serious violation must be assessed a penalty that is unforgiveable, whereas current law makes forgiveness of such penalties discretionary on the part of the agency. (Current law requires penalties assessed for violations that are not serious or repeated and that have been corrected to be forgiven.) Repeated violations that occur within 36 months of a previous penalty must be at least 10 percent higher than the previous penalty.