



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.

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 to \$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:

3 **SECTION 1.** 196.745 (2) (a) of the statutes is amended to read:

ASSEMBLY BILL 878**SECTION 1**

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

8

(END)