

State of Arizona  
House of Representatives  
Fifty-second Legislature  
First Regular Session  
2015

CHAPTER 26

House Engrossed  
**FILED**  
**MICHELE REAGAN**  
**SECRETARY OF STATE**

# HOUSE BILL 2259

AN ACT

AMENDING SECTION 40-442, ARIZONA REVISED STATUTES; RELATING TO PIPELINE SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 40-442, Arizona Revised Statutes, is amended to  
3 read:

4 40-442. Civil penalty for violation; deduction; other remedies

5 A. Any person, firm or corporation that violates any provision of this  
6 article or any rule or order adopted pursuant to this article pertaining to  
7 the safety of the transportation of gas and hazardous liquids and pipeline  
8 facilities shall be subject to a civil penalty of not to exceed ~~one~~ TWO  
9 hundred thousand dollars for each violation with each day constituting a  
10 separate violation. The maximum civil penalty shall not exceed ~~one~~ TWO  
11 million dollars for any related series of violations.

12 B. Any civil penalty pertaining to gas and hazardous liquid pipeline  
13 safety may be compromised by the commission. In determining the amount of  
14 the penalty, or the amount agreed upon in compromise, the appropriateness of  
15 the penalty to the size of the business of the person, firm or corporation  
16 charged, the gravity of the violation and the good faith of the person, firm  
17 or corporation charged in attempting to achieve compliance, after  
18 notification of a violation, shall be considered. The amount of the penalty,  
19 when finally determined, or the amount agreed upon in compromise, may be  
20 deducted from any sums owing by the state to the person, firm or corporation  
21 charged or may be recovered in a civil action in the superior court of this  
22 state.

23 C. All monies collected from civil penalties assessed pursuant to this  
24 article and any fines collected by the commission in enforcing this article  
25 and rules relating to pipeline safety shall be deposited, pursuant to  
26 sections 35-146 and 35-147, in the state general fund.

27 D. The commission may avail itself of any other authority or remedies  
28 available under the Constitution of Arizona and this chapter to effect the  
29 purpose of this article, including the provisions of article 9 of this  
30 chapter.

APPROVED BY THE GOVERNOR MARCH 17, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 17, 2015.

Passed the House February 12, 20 15

Passed the Senate March 12, 20 15

by the following vote: 58 Ayes,

by the following vote: 16 Ayes,

0 Nays, 2 Not Voting

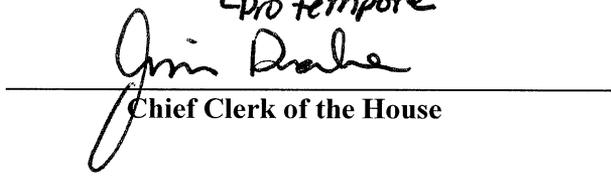
12 Nays, 2 Not Voting

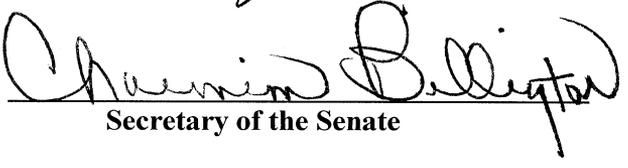




Speaker of the House  
*Pro tempore*

President of the Senate

  
Chief Clerk of the House

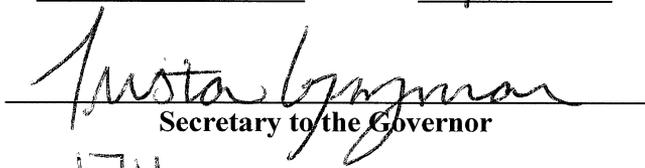
  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

12<sup>th</sup> day of March, 20 15

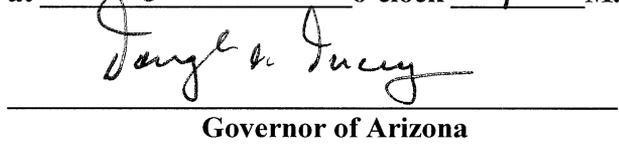
at 4:29 o'clock P. M.

  
Secretary to the Governor

Approved this 17<sup>th</sup> day of

March

at 8:45 o'clock A. M.

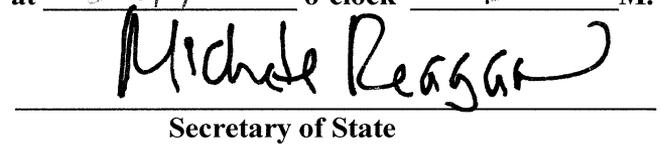
  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 17<sup>th</sup> day of March, 20 15

at 2:44 o'clock P. M.

  
Secretary of State

H.B. 2259