

Senate File 2108 - Introduced

SENATE FILE 2108

BY JOCHUM

A BILL FOR

1 An Act relating to a schedule established by the environmental
2 protection commission for civil penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455B.109, subsection 1, unnumbered
2 paragraph 1, Code 2018, is amended to read as follows:

3 The commission shall establish, by rule, a schedule or range
4 of civil penalties which may be administratively assessed.
5 The schedule shall provide procedures and criteria for the
6 administrative assessment of penalties of not more than ~~ten~~
7 twenty-five thousand dollars for violations of **this chapter** or
8 rules, permits, or orders adopted or issued under **this chapter**.
9 In adopting a schedule or range of penalties and in proposing
10 or assessing a penalty, the commission and director shall
11 consider among other relevant factors the following:

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill relates to a schedule established by the
16 environmental protection commission for civil penalties.

17 Currently, the environmental protection commission is
18 required to establish a schedule or range of civil penalties of
19 not more than \$10,000 that may be administratively assessed.
20 Currently, if a civil penalty is more than \$10,000, the civil
21 penalty is not administratively assessed.

22 The bill increases the maximum administratively assessed
23 civil penalty amount from \$10,000 to \$25,000.