



2015-2016 General Assembly

# HOUSE BILL 97: 2015 Appropriations Act, Sec. 14.26: Reform Civil Penalties Under the Sedimentation Pollution Control Act

**Committee:**

**Introduced by:**

**Analysis of:** Sec. 14.26 of S.L. 2015-241

**Date:**

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Legislative Analyst

**SUMMARY:** *Sec. 14.26 of S.L. 2015-241 amends the civil penalties under the Sedimentation Pollution Control Act as follows:*

- *Creates a process whereby the Sedimentation Control Commission (Commission) may make a determination on a request for civil penalty remission.*
- *Establishes factors that the Commission must consider in determining whether a civil penalty remission request will be approved.*
- *Provides that when a person is assessed a penalty for a violation for the first time and has abated continuing environmental damage resulting from the violation within 180 days, the maximum civil penalty that may be assessed is \$25,000.*
- *Directs the Department of Environmental Quality, local government, or other approving authority to offer assistance in developing corrective measures for persons who have not received a previous notice of violation under the Act.*

*This section became effective September 18, 2015, and applies to civil penalties assessed and notices of violation issued on or after that date.*

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Director



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