

ENROLLED ACT NO. 9, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

AN ACT relating to mines and minerals; amending penalties that may be imposed by the Wyoming oil and gas conservation commission; providing for payment of penalties into the public school fund; providing for waiver of penalties; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W. S. 30-5-127 is created to read:

**30-5-127. Payment of penalties.**

Unless otherwise provided by law, all civil or administrative fines or penalties collected under this article shall be paid over to the state treasurer to be credited to the public school fund of the county in which the violation for which the fine or penalty was imposed occurred.

**Section 2.** W.S. 30-5-119(a) and by creating a new subsection (g) is amended to read:

**30-5-119. Penalties for violation of act, orders of commission; penalties cumulative.**

(a) Any person who violates any provision of this act or who after either actual or constructive notice thereof from the commission or its representative violates any rule, regulation, or order of the commission shall forfeit ~~to the Wyoming oil and gas conservation fund~~ an amount of not more than ~~five hundred dollars (\$500.00)~~ five thousand dollars (\$5,000.00) for each act of violation, and for each day that such violation continues, to be fixed and determined by the commission after notice and opportunity for hearing. Any person who knowingly and willfully

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violates any provision of this act or who after notice thereof from the commission or its representatives knowingly and willfully violates any rule, regulation, or order of the commission shall be subject to a civil penalty ~~to be remitted and payable into the account of the Wyoming oil and gas conservation commission fund~~ upon order of the district court of the county in which the defendant resides, or in which any defendant resides if there be more than one (1) defendant, or in the district court of any county in which the violation occurred, or in the district court of Laramie county, Wyoming, ~~which said~~ The civil penalty shall not exceed the sum of ~~one thousand dollars (\$1,000.00)~~ ten thousand dollars (\$10,000.00) for each act of violation and for each day that such violation continues.

(g) The commission may waive any penalty under this section for good cause.

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**Section 3.** This act is effective July 1, 2005.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk