

HOUSE BILL NO. HB0096

OSHA penalties.

Sponsored by: Representative(s) Throne, Burkhardt and Craft
and Senator(s) Burns, Martin and Rothfuss

A BILL

for

1 AN ACT relating to the Wyoming Occupational Health and
2 Safety Act; providing for an increase in fines and civil
3 penalties as specified; and providing for an effective
4 date.

5

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

7

8 **Section 1.** W.S. 27-11-107(b), (c), (d) and (g) is
9 amended to read:

10

11 **27-11-107. Penalty.**

12

13 (b) Any employer willfully and knowingly violating
14 any of the provisions of this act, any safety and health
15 standards, rules or regulations promulgated under this act
16 or any existing rule or regulation governing the conditions

1 of employment promulgated by the commission may be assessed
2 a civil penalty of not less than five thousand dollars
3 (\$5,000.00) nor more than seventy thousand dollars
4 (\$70,000.00) for each violation, provided that a lesser
5 penalty may be imposed by the commission. If the violation
6 causes the death of an employee, the civil penalty amounts
7 shall be increased to not less than twenty-five thousand
8 dollars (\$25,000.00) nor more than one hundred twenty-five
9 thousand dollars (\$125,000.00) for the violation, except
10 that for an employer with twenty-five (25) or fewer
11 employees the minimum penalty shall not be less than twelve
12 thousand five hundred dollars (\$12,500.00) for the
13 violation.

14
15 (c) Any employer violating any provision of this act,
16 any health and safety standards or rules and regulations
17 promulgated under this act or any existing rule or
18 regulation governing the conditions of employment
19 promulgated by the commission, the violation specifically
20 determined to be of a serious nature, shall be assessed a
21 civil penalty of not more than seven thousand dollars
22 (\$7,000.00) for the violation. If the violation causes the
23 death of an employee, the civil penalty amounts shall be
24 increased to not less than ten thousand dollars

1 (\$10,000.00) nor more than twenty-five thousand dollars
2 (\$25,000.00) for the violation, except that for an employer
3 with twenty-five (25) or fewer employees the minimum
4 penalty shall not be more than ten thousand dollars
5 (\$10,000.00) for the violation.

6
7 (d) Any employer violating any provision of this act,
8 any health and safety standards or rules and regulations
9 promulgated under this act or any existing rule or
10 regulation governing the conditions of employment
11 promulgated by the commission, the violation determined not
12 to be of a serious nature, may be assessed a civil penalty
13 of not more than seven thousand dollars (\$7,000.00) for
14 each offense as noted in the notice of violation. If the
15 violation causes the death of an employee, the civil
16 penalty amounts shall be increased to not less than ten
17 thousand dollars (\$10,000.00) nor more than twenty-five
18 thousand dollars (\$25,000.00) for the violation, except
19 that for an employer with twenty-five (25) or fewer
20 employees the minimum penalty shall not be more than ten
21 thousand dollars (\$10,000.00) for the violation.

22
23 (g) Any employer who fails to correct a violation for
24 which a notice of violation has been issued, which notice

1 of violation is not contested or appealed under W.S.
2 27-11-104 and 27-11-106, initiated by the employer, may be
3 assessed a civil penalty of not more than seven thousand
4 dollars (\$7,000.00) for each day the failure or violation
5 continues. If the violation causes the death of an
6 employee, the civil penalty amounts shall be increased to
7 not less than ten thousand dollars (\$10,000.00) nor more
8 than twenty-five thousand dollars (\$25,000.00) per day for
9 the violation, except that for an employer with twenty-five
10 (25) or fewer employees the minimum penalty shall not be
11 more than ten thousand dollars (\$10,000.00) per day for the
12 violation.

13

14 **Section 2.** This act is effective July 1, 2012.

15

16 (END)