

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2323 Session of
2022

INTRODUCED BY HOWARD, HILL-EVANS, SCHLOSSBERG, KENYATTA, HERRIN,
DeLUCA, MADDEN AND SIMS, FEBRUARY 3, 2022

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 3, 2022

AN ACT

1 Amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated
2 Statutes, in development, further providing for penalties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Section 3255 of Title 58 of the Pennsylvania
6 Consolidated Statutes is amended to read:

7 § 3255. Penalties.

8 (a) General violation.--A person violating a provision of
9 this chapter commits a summary offense and, upon conviction,
10 shall be sentenced to pay a fine of not more than [\$1,000]
11 \$2,000 or to imprisonment of not more than 90 days, or both.
12 Each day during which the violation continues is a separate and
13 distinct offense.

14 (b) Willful violation.--A person willfully violating a
15 provision of this chapter or an order of the department issued
16 under this chapter commits a misdemeanor and, upon conviction,
17 shall be sentenced to pay a fine of not more than [\$5,000]

1 \$10,000 or to imprisonment of not more than one year, or both.
2 Each day during which the violation continues is a separate and
3 distinct offense.

4 (c) Authority.--The following apply:

5 (1) The department may institute a prosecution against
6 any person or municipality for a violation of this chapter.

7 (2) The Office of Attorney General under the act of
8 October 15, 1980 (P.L.950, No.164), known as the Commonwealth
9 Attorneys Act, or the district attorney of the affected
10 county may institute a criminal proceeding against a person
11 under subsection (a) or (b).

12 (d) Prohibition.--The department may not waive a fine for a
13 general violation under subsection (a) or a willful violation
14 under subsection (b).

15 Section 2. This act shall take effect in 60 days.