

2019 Regular Session

HOUSE BILL NO. 312

BY REPRESENTATIVE SCHEXNAYDER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STATE AGENCIES: Provides relative to the investigation of violations of state permits

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AN ACT

To amend and reenact R.S. 30:2050.2(A), relative to investigations and enforcement; to provide for investigations by state agencies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:2050.2(A) is hereby amended and reenacted to read as follows:

§2050.2. Enforcement; compliance orders

A. When information, from any source, indicates that a violation has occurred, is occurring, or is about to occur, the assistant secretary for the office of environmental compliance shall investigate and may issue a notice of violation or a compliance order within ten days after the completion of the investigation of the violation. Any notice of violation shall describe with reasonable specificity the nature of the violation and shall advise the respondent that further enforcement action may be taken if compliance is not promptly achieved. The assistant secretary shall notify the respondent of the issuance of the notice of violation or compliance order.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 312 Original

2019 Regular Session

Schexnayder

**Abstract:** Requires an investigation when information from any source indicates a violation.

Present law provides that when information indicates that a violation has occurred, is occurring, or is about to occur, the assistant secretary for the office of environmental compliance may issue a notice of violation or a compliance order within 10 days after the completion of the investigation of the violation.

Proposed law provides that when information indicating a violation is from any source it requires an investigation.

Present law requires any notice of violation to describe with reasonable specificity the nature of the violation and advise the respondent that further enforcement action may be taken if compliance is not promptly achieved. Present law further requires the assistant secretary to notify the respondent of the issuance of the notice of violation or compliance order.

Proposed law retains present law.

(Amends R.S. 30:2050.2(A))