479B.21 Civil penalty.

1. A person who violates this chapter or any rule or order issued pursuant to this chapter shall be subject to a civil penalty levied by the commission in an amount not to exceed one thousand dollars for each violation. Each day that the violation continues shall constitute a separate offense. However, the maximum civil penalty shall not exceed two hundred thousand dollars for any related series of violations. Civil penalties collected pursuant to this section shall be forwarded by the chief operating officer of the commission to the treasurer of state to be credited to the general fund of the state and appropriated to the department of health and human services for purposes of the low income home energy assistance program and the weatherization assistance program.

2. A civil penalty may be compromised by the commission. In determining the amount of the penalty, or the amount agreed upon in compromise, the appropriateness of the penalty to the size of the pipeline company charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation, shall be considered. The amount of the penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owed by the state to the person charged, or may be recovered in a civil action.

95 Acts, ch 192, §48; 2017 Acts, ch 169, §46, 49; 2018 Acts, ch 1160, §29; 2023 Acts, ch 19, §1180; 2024 Acts, ch 1170, §369

Referred to in §479B.12, 479B.20