

Senate File 2490

H-8475

- 1 Amend Senate File 2490, as passed by the Senate, as follows:
- 2 1. Page 9, line 31, before <Before entering> by inserting
- 3 <a.>
- 4 2. Page 10, after line 2 by inserting:
- 5 <b. Before entering into a negotiation under paragraph "a",
- 6 the operator shall provide a written description of the opt-out
- 7 procedure described in paragraph "c".
- 8 c. A surface owner may decline further communication with
- 9 an operator concerning a possible agreement for the payment
- 10 of any damage that may be caused by the drilling operation
- 11 by providing verbal or written notice to the operator that
- 12 states that the surface owner does not wish to discuss the
- 13 matter further, and by submitting to the attorney general
- 14 notice through mail or electronic means stating the same. Upon
- 15 receipt of such notice from the surface owner, the attorney
- 16 general shall forward a copy to the operator.
- 17 d. After receipt of notice from the surface owner pursuant
- 18 to paragraph "c", the operator shall not initiate further
- 19 contact with the surface owner for purposes of an agreement
- 20 for the payment of any damages that may be caused by the
- 21 drilling operation, except that the operator shall continue to
- 22 provide the surface owner with notices otherwise required by
- 23 law. The surface owner may rescind such refusal by contacting
- 24 the operator and notifying the attorney general through mail
- 25 or electronic means. Unless the surface owner rescinds the
- 26 refusal, the surface owner's land shall be deemed unavailable
- 27 for an agreement.
- 28 e. An operator violating the contact prohibition in
- 29 paragraph "d" is subject to a civil penalty of not less than ten
- 30 thousand dollars for each violation.>
- 31 3. Title page, line 5, after <jurisdiction> by inserting <
- 32 and providing civil penalties>

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WOOD of Taylor