

## HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 814

02/21/2013 Authored by Schoen and Simonson

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

03/13/2013 Adoption of Report: Pass and Read Second Time

1.1 A bill for an act  
1.2 relating to environment; requiring report of hazardous substance release to local  
1.3 fire or law enforcement; amending Minnesota Statutes 2012, section 609.671,  
1.4 subdivision 10.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 609.671, subdivision 10, is amended to read:

1.7 Subd. 10. **Failure to report release of hazardous substance or extremely**  
1.8 **hazardous substance.** (a) A person is, upon conviction, subject to a fine of up to \$25,000  
1.9 or imprisonment for up to two years, or both, who:

1.10 (1) is required to report the release of a hazardous substance under United States  
1.11 Code, title 42, section 9603, or the release of an extremely hazardous substance under  
1.12 United States Code, title 42, section 11004;

1.13 (2) knows that a hazardous substance or an extremely hazardous substance has  
1.14 been released; and

1.15 (3) fails to provide immediate notification of the release of a reportable quantity of a  
1.16 hazardous substance or an extremely hazardous substance to the state emergency response  
1.17 center, ~~or a~~ and the local firefighting or law enforcement organization having jurisdiction  
1.18 over the location of the release.

1.19 (b) For a second or subsequent conviction under this subdivision, the violator is  
1.20 subject to a fine of up to \$50,000 or imprisonment for not more than five years, or both.

1.21 (c) For purposes of this subdivision, a "hazardous substance" means a substance on  
1.22 the list established under United States Code, title 42, section 9602.

1.23 (d) For purposes of this subdivision, an "extremely hazardous substance" means a  
1.24 substance on the list established under United States Code, title 42, section 11002.

- 2.1 (e) For purposes of this subdivision, a "reportable quantity" means a quantity that
- 2.2 must be reported under United States Code, title 42, section 9602 or 11002.