

# 2000 SESSION

INTRODUCED

005035254

## SENATE BILL NO. 324

Offered January 19, 2000

*A BILL to amend and reenact §§ 12.1-13, 12.1-33 and 56-483 of the Code of Virginia, relating to penalties imposed by State Corporation Commission.*

Patron—Wampler

Referred to Committee on Commerce and Labor

### Be it enacted by the General Assembly of Virginia:

**1. That §§ 12.1-13, 12.1-33 and 56-483 of the Code of Virginia are amended and reenacted as follows:**

§ 12.1-13. Commission to have powers of court of record; rules and regulations; fines.

In all matters within the jurisdiction of the Commission, it shall have the powers of a court of record to administer oaths, to compel the attendance of witnesses and the production of documents, to punish for contempt, and to enforce compliance with its lawful orders or requirements by adjudging and enforcing by its own appropriate process such fines or other penalties as may be prescribed or authorized by law.

In the administration and enforcement of all laws within its jurisdiction, the Commission shall have the power to promulgate rules and regulations, to impose and collect such fines or other penalties as are provided by law, to enter appropriate orders, and to issue temporary and permanent injunctions. The Commission is empowered to suspend or revoke any Commission-issued license, certificate, registration, permit, or any other Commission-issued authority of any person who fails to satisfy any fine or penalty imposed by an order of the Commission.

Whenever no fine or other penalty is specifically imposed by statute for the failure of any such person to comply with any provision of law or with any valid rule, regulation, or order of the Commission, the Commission may impose and collect from such person a fine in an amount not to exceed ~~\$500~~ \$10,000 in the case of an individual, and in the case of a corporation not to exceed ~~\$5,000~~ \$10,000.

§ 12.1-33. Fine for disobedience of Commission orders.

Any person failing or refusing to obey any order or any temporary or permanent injunction of the Commission may be fined by the Commission such sum, not exceeding ~~\$1,000~~ \$10,000, as the Commission may deem proper; and each day's continuance of such failure or refusal shall be a separate offense. Should the operation of such order be suspended pending an appeal therefrom, the period of such suspension shall not be computed against the person in the matter of his liability to fines or penalties.

§ 56-483. Refusal or neglect to make reports; obstructing Commission in discharge of duties; violations in general.

Every officer, agent or employee of any telephone company, who shall willfully neglect or refuse to make and furnish any report lawfully required by the Commission for the purposes of this chapter or who shall willfully or unlawfully delay or obstruct the Commission in the discharge of the duties imposed upon it by the Constitution or laws of this Commonwealth, or the rules, regulations and requirements of the Commission, connected with the objects and purposes of this chapter, shall be fined not exceeding \$500 for each offense; and any telephone company which violates any of the provisions of this chapter or refuses to conform to or obey any lawful rule, order, regulation, or requirement of the Commission relating to the provisions of this chapter may, when not otherwise provided by law, be fined by the Commission in its discretion, in a sum not exceeding ~~\$500~~ \$10,000 for each offense and each day such company or corporation continues to violate any lawful rule, order or regulation prescribed by the Commission shall be a separate offense. Such penalty shall be imposed and enforced upon like proceedings and in like manner as are those prescribed for the violation of law or the rules and regulations of the Commission by transportation companies.

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