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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- DUTIES OF UTILITIES AND CARRIERS

Introduced By: Representative Lauren H. Carson

Date Introduced: February 13, 2025

Referred To: House Corporations

(Division of Public Utilities & Carriers)

It is enacted by the General Assembly as follows:

SECTION 1. Section 39-2-8 of the General Laws in Chapter 39-2 entitled "Duties of Utilities and Carriers" is hereby amended to read as follows:

39-2-8. Penalty for violations.

Any public utility which shall violate any provision of chapters 1 — 5 of this title, or shall do any act herein prohibited, or shall fail or refuse to perform any duty enjoined upon it for which a penalty has not been provided, shall be subject to a penalty of not less than two hundred dollars ($200) nor more than ~~one thousand dollars ($1,000)~~ five thousand dollars ($5,000), and in the case of a continuing violation of any of the provisions of the chapters, every day's continuance thereof shall be deemed to be a separate and distinct offense.

SECTION 2. Section 39-4-22 of the General Laws in Chapter 39-4 entitled "Hearings and Investigations" is hereby amended to read as follows:

39-4-22. Penalties for violations.

Every public utility ~~or water supplier pursuant to chapter 15.4 of title 46 [repealed]~~, and all officers and agents thereof, shall obey, observe, and comply with every order of the division made under the authority of chapters 1 — 5 of this title as long as the order shall be and remain in force. Every public utility ~~or water supplier~~ that shall violate any of the provisions of the chapters or that fails, omits, or neglects to obey, observe, or comply with any order of the division, shall be subject to a penalty of not less than two hundred dollars ($200) nor more than ~~one thousand dollars ($1,000)~~

five thousand dollars ($5,000) for each and every offense. Every violation of the order shall be a separate and distinct offense and, in case of a continuing violation, every day's continuance thereof shall be, and be deemed to be, a separate and distinct offense. Every officer, agent, or employee of a public utility ~~or water supplier~~ who shall violate any of the provisions of the chapters, or who procures, aids, or abets any violation by any public utility or water supplier, or who shall fail to obey, observe, or comply with any order of the division, or any provision of an order of the division, or who procures, aids, or abets any public utility or water supplier in its failure to obey, observe, or comply with any order or provision, shall be guilty of a misdemeanor and shall be fined not less than one hundred dollars ($100) nor more than ~~five hundred dollars ($500)~~ one thousand dollars ($1,000). In construing and enforcing the provisions of this section, the act, omission, or failure of any officer, agent, or other person acting for or employed by any public utility or water supplier, acting within the scope of his or her employment, shall in every case be deemed to be also the act, omission, or failure of the public utility or water supplier.

SECTION 3. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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This act would increase the penalties for public utilities for violations of the general law governing the duties of utilities and carriers.

This act would take effect upon passage.

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