

HOUSE BILL 142

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Nathan P. Small

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO ENVIRONMENTAL IMPROVEMENT; PROHIBITING FALSE STATEMENTS TO THE DEPARTMENT OF ENVIRONMENT BY AN OWNER OR OPERATOR OF A PUBLIC WATER SYSTEM; PROVIDING CRIMINAL PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Environmental Improvement Act is enacted to read:

"[NEW MATERIAL] FALSE STATEMENTS TO THE DEPARTMENT-- PENALTIES.--

A. It is unlawful for an owner or operator of a

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public water system subject to the Environmental Improvement Act and applicable rules or an owner's or operator's agent to:

(1) HENRC→knowingly←HENRC make a false statement, representation, certification or omission of fact material to the protection of public health as related to a public water system in an application, record, report, plan or other document filed with or submitted to the department, or required by rule to be maintained by an owner or operator of a public water system;

(2) HENRC→knowingly←HENRC falsify, tamper with or render inaccurate any device, method or record to be relied upon by the department to monitor or track information related to a public water system;

(3) HENRC→knowingly←HENRC falsify or conceal a fact material to the protection of public health as related to a public water system; or

(4) make or use a document with the knowledge that the document contains false statements or representations material to the protection of public health as related to a public water system.

B. A person who HENRC→knowingly←HENRC violates or knowingly causes or allows another person to violate Subsection A of this section is guilty of a HENRC→~~fourth-degree felony~~←HENRC HENRC→misdemeanor←HENRC and shall be sentenced in accordance with the provisions of Section HENRC→~~31-18-15~~←HENRC .209199.2

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HENRC→31-19-1←HENRC NMSA 1978."