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HOUSE BILL 142

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

INTRODUCED BY

Nathan P. Small

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

(1) make a false statement, representation, certification or omission of fact material to the protection of

.209199.2

underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 public health as related to a public water system in an
2 application, record, report, plan or other document filed with
3 or submitted to the department, or required by rule to be
4 maintained by an owner or operator of a public water system;

5 (2) falsify, tamper with or render inaccurate
6 any device, method or record to be relied upon by the
7 department to monitor or track information related to a public
8 water system;

9 (3) falsify or conceal a fact material to the
10 protection of public health as related to a public water
11 system; or

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

16 B. A person who knowingly violates or knowingly
17 causes or allows another person to violate Subsection A of this
18 section is guilty of a fourth degree felony and shall be
19 sentenced in accordance with the provisions of Section 31-18-15
20 NMSA 1978."