



30th Alaska State Legislature

House Labor and Commerce Committee

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Sectional Analysis

House Bill 121

An Act relating to occupational safety and health enforcement penalties.

Section 1 Amends AS 18.60.095 (a) to establish that the maximum and minimum civil penalties the commissioner may assess an employer for a willful or repeat violation of occupational safety and health provisions shall be set by regulation under a new section (i) added by this bill.

Section 2 Amends AS 18.60.095 (b) to establish that the maximum civil penalty the commissioner may assess an employer for a serious violation of occupational safety and health provisions shall be set by regulation under a new section (i) added by this bill.

Section 3 Amends AS 18.60.095 (c) to establish that the maximum civil penalty the commissioner may assess an employer for an other than serious violation of occupational safety and health provisions shall be set by regulation under a new section (i) added by this bill.

Section 4 Amends AS 18.60.095 (d) to establish that the maximum civil penalty the commissioner may assess an employer who fails to correct a violation of occupational safety and health provisions shall be set by regulation under a new section (i) added by this bill.

Section 5 Amends AS 18.60.095 (g) to establish that the maximum civil penalty the commissioner may assess an employer for violations of posting requirements shall be set by regulation under a new section (i) added by this bill.

Section 6 Amends AS 18.60.095 by adding a new subsection (i) that directs the commissioner to establish by regulation the maximum civil penalty amounts to be imposed under (a) – (d) and (g) of this section and the minimum imposed under (a). It stipulates that the maximum civil penalties may not be greater than the corresponding federal penalties and must include adjustments to correlate with inflation rates as specified under the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.

Section 7 Establishes that this Act applies to violations occurring on or after the effective date of this Act.

Section 8 Allows the department to adopt regulations necessary to implement this Act.