

1 provided that this definition shall not include a drilling
2 operation into an underground geologic formation for the purpose
3 of obtaining drinking water. Hydraulic fracturing is also known
4 as "fracking", "hydro-fracking", "hydro-fracturing", "hydro-
5 shearing", "hydraulic shearing", "hydro-stimulation", or
6 "enhanced geothermal drilling".

7 § -2 Hydraulic fracturing; prohibited. (a) It shall be
8 unlawful for any person, corporation, or other business entity
9 to engage in hydraulic fracturing within the State.

10 (b) It shall be unlawful for any person, corporation, or
11 other business entity to collect, transport, store, process, or
12 discharge waste fluid from hydraulic fracturing within the State
13 without first obtaining a permit to do so.

14 § -3 Penalty; injunction. Any person, corporation, or
15 other entity that violates section -2 shall be fined not more
16 than \$100,000 for every violation.

17 Any person, corporation, or other entity that violates
18 section -2 may also be enjoined by the circuit court from
19 continuing the violation.

20 The penalty and remedy provided by this section shall be in
21 addition to any criminal or civil penalty provided by any other
22 law.



1 § -4 **Enforcement.** The board or its authorized
2 representative is authorized to charge and collect the fines set
3 forth pursuant to section -3 and bring legal action to enjoin
4 conduct prohibited by this chapter."

5 SECTION 2. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 3. This Act shall take effect on January 28, 2878,
9 and shall be repealed on July 1, 2017.



Report Title:

Conservation; Mining and Materials; Hydraulic Fracturing

Description:

Prohibits hydraulic fracturing and the collection, storage, treatment, or discharge in the State of wastewater from hydraulic fracturing. Provides for penalties and enforcement. Sunset date of July 1, 2017. Effective January 28, 2014.
(HB2359 HD1)

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