

109TH CONGRESS
1ST SESSION

S. 668

To provide enhanced criminal penalties for willful violations of occupational standards for asbestos.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2005

Mr. SPECTER introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide enhanced criminal penalties for willful violations of occupational standards for asbestos.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Asbestos Standards
5 Enforcement Act of 2005”.

6 **SEC. 2. ENHANCED CRIMINAL PENALTIES FOR WILLFUL**
7 **VIOLATIONS OF OCCUPATIONAL STANDARDS**
8 **FOR ASBESTOS.**

9 Section 17(e) of the Occupational Safety and Health
10 Act of 1970 (29 U.S.C. 656(e)) is amended—

1 (1) by striking “Any” and inserting “(1) Ex-
2 cept as provided in paragraph (2), any”; and

3 (2) by adding at the end the following:

4 “(2) Any employer who willfully violates any standard
5 issued under section 6 with respect to the control of occu-
6 pational exposure to asbestos, shall upon conviction be
7 punished by a fine in accordance with section 3571 of title
8 18, United States Code, or by imprisonment for not more
9 than 5 years, or both, except that if the conviction is for
10 a violation committed after a first conviction of such per-
11 son, punishment shall be by a fine in accordance with sec-
12 tion 3571 of title 18, United States Code, or by imprison-
13 ment for not more than 10 years, or both.”.

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