

105TH CONGRESS
1ST SESSION

H. R. 2881

To amend the Occupational Safety and Health Act of 1970.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1997

Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, Mr. NORWOOD, Mr. BARRETT of Nebraska, Mr. PAUL, Mr. DELAY, Mr. BOB SCHAFFER of Colorado, Mr. HOEKSTRA, Mr. GRAHAM, Mr. ISTOOK, Mr. FAWELL, Mr. GREENWOOD, and Mr. BOEHNER) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Occupational Safety and Health Act of 1970.

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. SMALL BUSINESS.**

4 Section 17 of the Occupational Safety and Health Act
5 of 1970 (29 U.S.C 666) is amended by redesignating sub-
6 sections (k) and (l) as subsections (l) and (m), respec-
7 tively, and by adding after subsection (j) the following:

8 “(k) In the case of any small business concern (as
9 defined in section 3(a)(1) of the Small Business Act (15
10 U.S.C. 632(a)(1) and regulations thereunder) which re-

1 ceived a citation for a violation of the requirements of sec-
2 tion 5, any standard, rule, or order promulgated pursuant
3 to section 6, or of any regulation prescribed under this
4 Act, the Secretary shall waive up to 100 percent of the
5 penalty otherwise proposed for such violation if the small
6 business concern employer corrects the violation within the
7 time set for abatement under section 9(a). If such em-
8 ployer does not correct the violation within such time, the
9 Secretary shall waive up to 100 percent of such penalty
10 to the extent that the employer uses the amount which
11 would have been paid as the penalty for correction of the
12 violation. This subsection shall apply where—

13 “(1) the employer has made a good faith effort
14 to comply with applicable regulations; and

15 “(2) the violation does not constitute a signifi-
16 cant threat to an employee’s health or safety.”.

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