HOUSE BILL NO. HB0126

Agriculture operations.

Sponsored by: Representative(s) Wallis and Senator(s) Driskill

A BILL

for

AN ACT relating to agriculture; establishing the offense of interference with an agricultural operation; providing immunity for reporting cruelty to livestock as specified; providing for assistance by livestock board; providing definitions; providing a penalty; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 11-30-116 is created to read:

11-30-116. Interference with an agricultural operation; immunity; penalty.

(a) As used in this section:
(i) "Agricultural operation" means private property used for the production of livestock or livestock products;

(ii) "Livestock" means as defined in W.S. 11-30-114.

(b) A person, other than a law enforcement officer acting within the scope of his duties, is guilty of interference with an agricultural operation if the person:

(i) Without consent from the owner or manager of the agricultural operation, knowingly or intentionally records an image of or sound from the agricultural operation by concealing or placing a recording device on the premises of the agricultural operation;

(ii) Without consent from the owner or manager of the agricultural operation, knowingly or intentionally records an image of or sound from the agricultural operation while committing criminal trespass under W.S. 6-3-303;
(iii) Obtains access to an agricultural operation under false pretenses; or

(iv) While employed at and present on an agricultural operation, records an image of or sound from the agricultural operation if the person:

(A) Applied for employment at an agricultural operation with an intent to record an image or sound from the agricultural operation; and

(B) Knew at the time the person accepted employment that the owner of the agricultural operation prohibits the employee from recording an image or sound from the agricultural operation.

(c) Any person who violates any provision of this section shall be punished as provided in W.S. 11-1-103.

(d) Any person who observes a livestock animal being cruelly treated, as defined in W.S. 6-3-203, at an agricultural operation who in good faith reports the alleged cruelty to any peace officer employed by a local government with jurisdiction in the area where the alleged
cruelty has occurred shall be immune from civil liability for making the report if the report is made within forty-eight (48) hours of the person's observation of the alleged cruelty. The board and its agents shall act as a resource and provide assistance if requested by the local government authorities in cases reported under this subsection.

Section 2. W.S. 11-1-103 is amended to read:

11-1-103. Penalty for violations.

A person who violates any of the following sections commits a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars ($750.00), or both for the first offense, or by imprisonment for not more than one (1) year, a fine of not more than one thousand five hundred dollars ($1,500.00), or both for second or subsequent offenses: W.S. 11-6-210(a) or (f), 11-18-112, 11-19-101, 11-19-102, 11-19-103, 11-19-111, 11-19-401, 11-20-114, 11-20-117, 11-20-229, 11-20-230, 11-21-104, 11-22-118, 11-23-106, 11-23-207, 11-24-106, 11-30-114, 11-30-116 and 11-48-102. A person who violates board rules promulgated pursuant to W.S. 11-18-103(a)(v)
shall be subject to the penalties specified in this section.

Section 3. This act is effective July 1, 2013.