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; requiring reporting of cruelty to livestock; providing definitions; providing penalties; 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; 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 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
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.

Section 2. W.S. 11-1-103 and 11-29-106 are 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, 11-29-106(b), 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.

11-29-106. Livestock board; authority to prevent cruelty; penalty for interference with officer; duty to report.

(a) Any peace officer, agent or officer of the board may lawfully interfere to prevent the perpetration of any act of cruelty upon any livestock animal in his presence. Any person who interferes with, obstructs or resists any peace officer or officer or agent of the board in the discharge of his duty shall be fined not less than two hundred dollars ($200.00) nor more than one thousand five
hundred dollars ($1,500.00), or imprisoned not more than 

one (1) year, or both.

(b) Any person who knows that a livestock animal is 
being cruelly treated as defined in W.S. 6-3-203 shall 
report the information immediately to the owner or manager 
of the agricultural operation or any peace officer, agent 
or officer of the board within forty-eight (48) hours. 
Anyone who in good faith makes a report pursuant to this 
subsection is immune from civil liability for making the 
report. A failure to report cruelty under this subsection 
is a misdemeanor punishable as provided in W.S. 11-1-103.

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