

Bill No.: SF0012

Effective: 3/5/2015

LSO No.: 15LSO-0003

Enrolled Act No.: SEA 61

Chapter No.: 146

Prime Sponsor: Joint Judiciary Interim Committee

Catch Title: Trespassing to collect data.

Subject: New crimes of trespassing to unlawfully collect resource data and unlawful collection of resource data

Summary/Major Elements:

- This bill creates the crimes of trespassing to unlawfully collect resource data and unlawful collection of resource data.
- A person is guilty of trespassing to unlawfully collect resource data if he:
 - Enters onto open land for the purpose of collecting resource data; and
 - Does not have:
 - An ownership interest in the real property or, statutory, contractual or other legal authorization to enter or access the land to collect resource data; or
 - Written or verbal permission of the owner, lessee or agent of the owner to enter or access the land to collect the specified resource data.
- A person is guilty of unlawfully collecting resource data if he enters onto private open land and collects resource data without:
 - An ownership interest in the real property or, statutory, contractual or other legal authorization to enter the private land to collect the specified resource data; or
 - Written or verbal permission of the owner, lessee or agent of the owner to enter the land to collect the specified resource data.
- A violation of these crimes is punishable by imprisonment for not more than one year, a fine of not more than \$1,000, or both. A subsequent offense is punishable by imprisonment for not less than ten days nor more than one year, a fine of not more than \$5,000, or both.
- “Resource data” means data relating to land or land use, including but not limited to data regarding agriculture, minerals, geology, history, cultural artifacts, archeology, air, water, soil, conservation, habitat, vegetation or animal species. “Resource data” does not include:

- Surveying data to determine property boundaries or monuments;
- Data used by a state or local governmental entity to assess property values;
- Data collected by a peace officer while engaged in the lawful performance of his official duties.
- Resource data collected in violation of this act is not admissible in evidence in any civil, criminal or administrative proceedings except to prosecute a violation of this act or in a civil action against the violator.
- Resource data collected in violation of this act in the possession of any governmental entity is required to be expunged from all files and data bases and cannot be considered in determining any agency action.

The above summary is not an official publication of the Wyoming Legislature and is not an official statement of legislative intent. While the Legislative Service Office endeavored to provide accurate information in this summary, it should not be relied upon as a comprehensive abstract of the bill.