Criminal trespass to collect data—amendments.

Sponsored by: Senator(s) Hicks, Burns, Christensen and Kinskey and Representative(s) Allen, Greear, Laursen, Lindholm, Sommers and Winters

A BILL

for

AN ACT relating to crimes and offenses; amending provisions related to the crimes of trespassing to unlawfully collect resource data and unlawful collection of resource data; repealing the definition of "open land"; and providing for an effective date.

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

Section 1. W.S. 6-3-414(a)(i), (ii)(A), (B), (b), (d)(i) and (iv)(intro) is amended to read:

6-3-414. Trespassing to unlawfully collect resource data; unlawful collection of resource data.
(a) A person is guilty of trespassing to unlawfully collect resource data if he:

(i) Enters onto open—private land for the purpose of collecting resource data; and

(ii) Does not have:

(A) An ownership interest in the real property or, statutory, contractual or other legal authorization to enter or access the private land to collect the specified resource data; or

(B) Written or verbal permission of the owner, lessee or agent of the owner to enter or access the private land to collect the specified resource data.

(b) A person is guilty of unlawfully collecting resource data if he enters onto private open—land and collects resource data without:

(i) 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

(ii) Written or verbal permission of the owner, lessee or agent of the owner to enter the private land to collect the specified resource data.

(d) As used in this section:

(i) "Collect" means to take a sample of material, acquire, gather, photograph or otherwise preserve information in any form from open land which is submitted or intended to be submitted to any agency of the state or federal government including the recording of a legal description or geographical coordinates of the location of the collection, from private land;

(iv) "Resource data" means data relating to private land or private 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 data:
Section 2. W.S. 6-3-414(d)(ii) is repealed.

Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)