

SENATE FILE NO. SF0075

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

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

6

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

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

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12 **6-3-414. Trespassing to unlawfully collect resource**
13 **data; unlawful collection of resource data.**

14

1 (a) A person is guilty of trespassing to unlawfully
2 collect resource data if he:

3

4 (i) Enters onto ~~open~~ or crosses private land for
5 the purpose of collecting resource data; and

6

7 (ii) Does not have:

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

13

14 (B) Written or verbal permission of the
15 owner, lessee or agent of the owner to enter or ~~access~~
16 cross the private land to collect the specified resource
17 data.

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19 (b) A person is guilty of unlawfully collecting
20 resource data if he enters onto or crosses private ~~open~~
21 land and collects resource data without:

22

1 (i) An ownership interest in the real property
2 or, statutory, contractual or other legal authorization to
3 enter or cross the private land to collect the specified
4 resource data; or

5

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

9

10 (d) As used in this section:

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

19

20 (iv) "Resource data" means data relating to
21 private land or private land use, including but not limited
22 to data regarding agriculture, minerals, geology, history,
23 cultural artifacts, archeology, air, water, soil,

1 conservation, habitat, vegetation or animal species.

2 "Resource data" does not include data:

3

4 **Section 2.** W.S. 6-3-414(d)(ii) is repealed.

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

10

11

(END)