

SENATE FILE NO. SF0074

Crimes against critical infrastructure.

Sponsored by: Senator(s) Christensen, Bebout, Driskill, Kinskey, Nethercott, Perkins and Von Flatern and Representative(s) Biteman, Blake, Brown, Kirkbride, Olsen, Paxton, Sweeney and Winters

A BILL

for

1 AN ACT relating to crimes and offenses; creating the crimes  
2 of trespassing on critical infrastructure and impeding  
3 critical infrastructure; specifying elements; providing  
4 penalties; providing definitions; and providing for an  
5 effective date.

6

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

8

9 **Section 1.** W.S. 6-3-205 and 6-3-308 are created to  
10 read:

11

12 **6-3-205. Impeding critical infrastructure.**

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1           (a) A person is guilty of impeding critical  
2 infrastructure if he:

3

4           (i) Impedes or inhibits the operations of a  
5 critical infrastructure facility; or

6

7           (ii) Damages, destroys, vandalizes, defaces or  
8 tampers with the equipment at a critical infrastructure  
9 facility.

10

11           (b) Impeding critical infrastructure is a felony  
12 punishable by imprisonment for not more than ten (10)  
13 years, a fine of not more than one hundred thousand dollars  
14 (\$100,000.00), or both.

15

16           (c) An organization that aids, abets, solicits,  
17 encourages, hires, conspires, commands or procures a person  
18 to commit the crime of impeding critical infrastructure is  
19 subject to a fine not to exceed one million dollars  
20 (\$1,000,000.00).

21

22           (d) As used in this section:

23

1           (i) "Critical infrastructure facility" means as  
2 defined in W.S. 6-1-104(a) (xvii);

3  
4           (ii) "Organization" means a person, as defined  
5 in W.S. 6-1-104(a) (vii), other than an individual.

6  
7           **6-3-308. Critical infrastructure trespass.**

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9           (a) A person is guilty of critical infrastructure  
10 trespass if he enters or remains on or in a critical  
11 infrastructure facility knowing he is not authorized to do  
12 so or after being notified to depart or to not trespass.  
13 For purposes of this section, notice is given by:

14  
15           (i) Personal communication to the person by the  
16 owner or occupant, or his agent, or by a peace officer;

17  
18           (ii) Posting of signs reasonably likely to come  
19 to the attention of intruders; or

20  
21           (iii) Fencing or other physical barrier that is  
22 obviously designed to exclude intruders.

23

1           (b) Critical infrastructure trespass is a misdemeanor  
2 punishable by imprisonment for not more than one (1) year,  
3 a fine of not more than one thousand dollars (\$1,000.00),  
4 or both.

5  
6           (c) Critical infrastructure trespass is a felony  
7 punishable by imprisonment for not more than ten (10)  
8 years, a fine of not less than ten thousand dollars  
9 (\$10,000.00), nor more than one hundred thousand dollars  
10 (\$100,000.00), or both, if the trespass is committed with  
11 the intent to:

12  
13           (i) Impede or inhibit the operations of a  
14 critical infrastructure facility; or

15  
16           (ii) Damage, destroy, vandalize, deface or  
17 tamper with the equipment at a critical infrastructure  
18 facility.

19  
20           (d) An organization that aids, abets, solicits,  
21 encourages, hires, conspires, commands or procures a person  
22 to commit the crime of critical infrastructure trespass

1 under subsection (c) of this section is subject to a fine  
2 not to exceed one million dollars (\$1,000,000.00).

3

4 (e) As used in this section:

5

6 (i) "Critical infrastructure facility" means as  
7 defined in W.S. 6-1-104(a)(xvii);

8

9 (ii) "Organization" means a person, as defined  
10 in W.S. 6-1-104(a)(vii), other than an individual.

11

12 **Section 2.** W.S. 6-1-104(a) by creating a new  
13 paragraph (xvii) and by renumbering (xvii) as (xviii) is  
14 amended to read:

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16 **6-1-104. Definitions.**

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18 (a) As used in this act, unless otherwise defined:

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20 (xvii) "Critical infrastructure facility" means:

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22 (A) Any aboveground portion of an oil, gas,  
23 hazardous liquid or chemical pipeline, tank, railroad

1 facility or other storage facility that is enclosed by a  
2 fence, other physical barrier or is clearly marked with  
3 signs prohibiting trespassing, that are obviously designed  
4 to exclude intruders; or

5  
6 (B) One of the following, if completely  
7 enclosed by a fence or other physical barrier that is  
8 obviously designed to exclude intruders, or if clearly  
9 marked with a sign or signs that are reasonably likely to  
10 come to the attention of intruders and indicate that entry  
11 is forbidden without site authorization:

12  
13 (I) A petroleum or alumina refinery;

14  
15 (II) An electrical power generating  
16 facility, substation, switching station, electrical control  
17 center or electric power lines and associated equipment  
18 infrastructure;

19  
20 (III) A chemical, polymer or rubber  
21 manufacturing facility;

22

1                   (IV) A water intake structure, water  
2 treatment facility, wastewater treatment plant or pump  
3 station;

4  
5                   (V) A natural gas compressor station;

6  
7                   (VI) A liquid natural gas terminal or  
8 storage facility;

9  
10                  (VII) A telecommunications central  
11 switching office;

12  
13                  (VIII) Wireless telecommunications  
14 infrastructure, including cell towers, telephone poles and  
15 lines, including fiber optic lines;

16  
17                  (IX) A port, railroad switching yard,  
18 railroad tracks, trucking terminal or other freight  
19 transportation facility;

20  
21                  (X) A gas processing plant, including  
22 a plant used in the processing, treatment or fractionation  
23 of natural gas or natural gas liquids;

1

2

(XI) A transmission facility used by a  
federally licensed radio or television station;

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5

(XII) A steelmaking facility that uses  
an electric arc furnace to make steel;

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8

(XIII) A facility identified and  
regulated by the United States department of homeland  
security chemical facility anti-terrorism standards  
program;

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13

(XIV) A dam that is regulated by the  
state of Wyoming or the federal government;

14

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16

(XV) A natural gas distribution  
utility facility, including pipeline interconnections, a  
city gate or town border stations, metering stations,  
aboveground piping, a regular station and a natural gas  
storage facility;

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22

(XVI) A crude oil or refined products  
storage and distribution facility, including valve sites,

23



1 pipeline interconnections, pump stations, metering  
 2 stations, aboveground or underground pipelines or piping  
 3 and truck loading or offloading facilities;

4

5 (XVII) An aboveground or underground  
 6 mining facility; or

7

8 (XVIII) A data center or  
 9 supercomputing center.

10

11 ~~(xvii)~~(xviii) "This act" means title 6 of the  
 12 Wyoming statutes.

13

14 **Section 3.** This act is effective July 1, 2018.

15

16 (END)