

HOUSE BILL NO. HB0196

Wyoming infrastructure protection act.

Sponsored by: Representative(s) Henderson, Burkhart, Neiman
and Olsen and Senator(s) Barlow, Boner and
McKeown

A BILL

for

1 AN ACT relating to trade and commerce; requiring the office
2 of homeland security to establish a reporting system for
3 concerns regarding critical infrastructure as specified;
4 authorizing the governor to specify countries and companies
5 as threats to critical infrastructure; providing
6 definitions; specifying applicability; providing an
7 appropriation; authorizing positions; and providing for an
8 effective date.

9

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

11

12 **Section 1.** W.S. 19-13-501 through 19-13-503 are
13 created to read:

14

15

ARTICLE 5

1 CRITICAL INFRASTRUCTURE - PROHIBITED CONTRACTS

2

3 **19-13-501. Definitions.**

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5 (a) As used in this article:

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7 (i) "Critical infrastructure" means an asset,
8 system, network or facility, whether physical or cyber,
9 that are considered so vital to the state of Wyoming that
10 the incapacitation or destruction of the asset, system,
11 network or facility would have a debilitating effect on
12 security, public health or safety. "Critical
13 infrastructure" includes any asset, system, network or
14 facility that involves chemical facilities, commercial
15 facilities, communications, critical manufacturing, dams,
16 defense industrial bases, emergency services, energy,
17 financial services, food and agriculture, government,
18 health care and public health, information technology,
19 nuclear reactors, materials and waste, transportation
20 systems and water and wastewater systems;

21

22 (ii) "Cyber" means the measures taken to protect
23 a computer, computer network, computer system or other

1 technology infrastructure against unauthorized use or
2 access;

3

4 (iii) "Designated country" means:

5

6 (A) Any country that has been designated as
7 a state sponsor of terrorism under federal law; or

8

9 (B) A country designated by the governor as
10 a threat to critical infrastructure under W.S. 19-13-502.

11

12 (iv) "Director" means the director of the office
13 of homeland security;

14

15 (v) "Governmental entity" means the state of
16 Wyoming, any political subdivision of the state, city,
17 town, county or special district, or any agency or entity
18 thereof.

19

20 **19-13-502. Designation of a country as a threat to**
21 **critical infrastructure.**

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1 (a) The governor, after consultation with the
2 director, may designate a country as a threat to critical
3 infrastructure for purposes of this article. The governor
4 may consult with the office of homeland security and any
5 relevant state or federal agency before making any
6 designation under this section.

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8 (b) The governor may, in the governor's discretion,
9 disseminate information about the countries designated
10 under subsection (a) of this section.

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12 **19-13-503. Notice of potential threats to critical**
13 **infrastructure; reporting.**

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15 (a) The director shall establish a system for
16 governmental entities and other persons to report
17 suspicious activity, potential threats or risks to critical
18 infrastructure from designated countries or persons from
19 designated countries in Wyoming. The system shall include,
20 at a minimum:

21

22 (i) Allow for the submission of information
23 online or by telephone;

1

2 (ii) Provide for the submission of information
3 concerning:

4

5 (A) Real property purchases and leases of
6 land adjacent to critical infrastructure by designated
7 countries or persons from designated countries;

8

9 (B) Contracts where a designated country or
10 a person from a designated country is a party and where the
11 designated country or person is granted access to critical
12 infrastructure, whether by physical, remote or other means;

13

14 (C) Any other suspicious activity, threat
15 or risk from a designated country or person from a
16 designated country that the director requires to be
17 included as part of the reporting system.

18

19 (iii) A method by which reports of suspicious
20 activity, threats or risks submitted under this section are
21 disseminated to the governor and any appropriate state or
22 federal agency.

23

1 (b) The director may utilize any existing system to
2 implement the reporting system required by this section.

3

4 (c) The director shall provide information on the
5 reporting system required by this section and how
6 governmental entities and persons may report to Wyoming
7 residents and governmental entities, including county
8 clerks and law enforcement agencies.

9

10 **Section 2.**

11

12 (a) There is authorized two (2) full-time employee
13 positions to the office of the governor for the office of
14 homeland security for purposes of implementing this act.
15 One (1) of the positions authorized in this subsection
16 shall be for a critical infrastructure analyst. The
17 remaining one (1) position authorized in this subsection
18 shall be for a critical infrastructure energy analyst.

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20 (b) There is appropriated two hundred three thousand
21 dollars (\$203,000.00) from the general fund to the office
22 of the governor for the office of homeland security for
23 purposes of implementing this act and funding the two (2)

1 positions authorized in subsection (a) of this section.
2 This appropriation shall be for the period beginning July
3 1, 2023 and ending June 30, 2024 and shall not be expended
4 for any other purpose. Any unexpended, unobligated funds
5 remaining from this appropriation on June 30, 2024 shall
6 revert as provided by law on June 30, 2024.

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8 (c) It is the intent of the legislature that the two
9 (2) positions authorized and the appropriation provided in
10 this section be included in the governor's standard budget
11 request for the immediately succeeding fiscal biennium.

12

13 **Section 3.** This act is effective July 1, 2023.

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15

(END)