

HOUSE BILL NO. HB0282

Critical infrastructure resiliency.

Sponsored by: Representative(s) Bear, Angelos, Haroldson,
Knapp, Slagle, Smith, Strock, Styvar, Ward
and Winter and Senator(s) Steinmetz

A BILL

for

1 AN ACT relating to public utilities; creating the critical
2 infrastructure resiliency initiative; specifying purposes
3 for the initiative; creating the critical resilient
4 infrastructure board; specifying members, duties and powers
5 of the board; providing definitions; appropriating funds;
6 and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 37-19-101 through 37-19-103 are
11 created to read:

12

13

CHAPTER 19

14

CRITICAL INFRASTRUCTURE RESILIENCY

15

1 **37-19-101. Definitions.**

2

3 (a) As used in this chapter:

4

5 (i) "Board" means the critical resilient
6 infrastructure board created by this chapter;

7

8 (ii) "Critical infrastructure" means any asset,
9 system or network located in Wyoming, whether physical or
10 virtual, that is vital to the state's security, economic
11 security, public health or safety. "Critical
12 infrastructure" includes but is not limited to water
13 infrastructure, transportation infrastructure, electrical
14 energy generation facilities, fuel import facilities,
15 refineries and telecommunications facilities;

16

17 (iii) "Cyber" means relating to or involving
18 computers, computer networks or technology, including the
19 internet and its relationship to modern computing and
20 technology;

21

22 (iv) "Electric grid" means the network of
23 electric generators, transmission lines, distribution lines

1 and facilities, substations, energy storage devices and
2 supporting infrastructure located in Wyoming and used to
3 produce and deliver electricity;

4

5 (v) "Grid-down event" means an extended power
6 outage that requires living without electricity for an
7 extended period of time measured in months and years.
8 "Grid-down event" shall not include a temporary, short-term
9 power outage;

10

11 (vi) "Operational technologies" means technology
12 that plays a critical and important role in operational
13 functionality, including unprotected sensors and
14 supervisory and data acquisition devices;

15

16 (vii) "Resiliency" means the capacity to prevent
17 or reduce the severity of damage from natural disasters or
18 human-caused emergencies and to enable faster recovery of
19 normal infrastructure operations after a natural or
20 human-caused emergency.

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22 **37-19-102. Critical infrastructure resiliency**
23 **initiative.**

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2 (a) The critical infrastructure resiliency initiative
3 is hereby created. The initiative is created to ensure
4 that:

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6 (i) Critical infrastructure components
7 throughout Wyoming are hardened to survive all grid-down
8 events, including electromagnetic pulse, nuclear,
9 non-nuclear, physical, weather-related, cyber and terrorist
10 attacks on the state's critical infrastructure;

11

12 (ii) The state of Wyoming develops cyber,
13 information technology and operational technology solutions
14 that are effective for both the public and private sectors,
15 focusing on solutions that do not need to be reinvented and
16 can be adapted to usable techniques for Wyoming's critical
17 infrastructure;

18

19 (iii) The electric power grid remains minimally
20 functional to protect human life, animal life, critical
21 life-sustaining resources and infrastructure;

22

1 (iv) There is continuity of government,
2 industry, supply chain and property dependent on the power
3 grid after a total, partial or catastrophic grid-down event
4 from natural or human-induced causes.

5

6 **37-19-103. Critical resiliency infrastructure board;**
7 **composition; powers; duties.**

8

9 (a) There is created the critical resiliency
10 infrastructure board. The board shall consist of the
11 following nine (9) members:

12

13 (i) The director of the office of homeland
14 security, who shall serve as chairman of the board;

15

16 (ii) Eight (8) members appointed by the governor
17 with the advice and consent of the senate, who shall
18 represent or be affiliated with not less than one (1) of
19 the following organizations or interests:

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21 (A) The Wyoming national guard;

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23 (B) The public service commission;

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(C) Public utilities and cooperative electrical generation and transmission associations;

(D) The oil and gas industry;

(E) Coal and other mineral industries;

(F) Telecommunications;

(G) Law enforcement;

(H) Any other critical infrastructure industry.

(b) The board shall be staffed by the Wyoming office of homeland security.

(c) The purposes of the board are to ensure:

(i) Compliance with the scope of objectives outlined by the federal Infrastructure Investment and Jobs Act of 2021, P.L. No. 117-58, by initiating improvements to

1 the state's infrastructure, beginning with power, oil and
2 gas, water and telecommunications;

3

4 (ii) The transfer of technology, lessons and
5 solutions from the United States department of defense to
6 mission-critical elements of Wyoming's critical
7 infrastructure by initiating a cooperative effort between
8 the civilian engineering community, the state's public and
9 cooperative utilities and the department of defense;

10

11 (iii) That the critical infrastructure
12 components associated with water and wastewater treatment
13 that are completed with the use of the electric grid
14 continue to function without interruption when any
15 grid-down event occurs in Wyoming;

16

17 (iv) That the state leverages the decades of the
18 federal government's deployment of technology, technical
19 solutions, specifications and standards for developing,
20 installing and testing electromagnetic survivable hardware,
21 techniques and practices for critical United States
22 department of defense facilities;

23

1 (v) That the state leverages federal government
2 requirements and specifications for testing the technology
3 described in paragraph (iv) of this subsection to guarantee
4 the effectiveness of that technology;

5
6 (vi) That the state leverages federal funding
7 and grants available for broad infrastructure improvement
8 efforts in Wyoming, including funding available under the
9 federal Infrastructure Investment and Jobs Act, the federal
10 emergency management agency's building resiliency
11 infrastructures and communities program, the United States
12 department of energy's grid deployment office and grid
13 resilience and innovation partnership program and any other
14 federal program that provides funding for critical
15 infrastructure improvements.

16
17 (d) The board shall:

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19 (i) Provide oversight in coordination with
20 relevant state agencies to ensure that the state's
21 industries are equipped to provide not less than ninety
22 percent (90%) of Wyoming's population with resilient power,
23 oil and gas, water and telecommunications;

1

2 (ii) Develop a process to allow qualified
3 contractors to apply the technology, solutions and
4 specifications specified in paragraph (b)(iv) of this
5 section for new construction or existing operational
6 hardware and software in Wyoming's critical infrastructure;

7

8 (iii) Develop a program for ensuring that public
9 and cooperative utilities, oil and gas companies, mineral
10 companies, water companies and telecommunications companies
11 in Wyoming participate in a cooperative venture with
12 specialized entities to develop and install essential
13 upgrades to new or existing critical infrastructure without
14 resulting in ratepayer increases;

15

16 (iv) Ensure that the state's relevant agencies
17 and industries comply with any existing energy directives
18 in Wyoming law;

19

20 (v) In consultation with the governor, provide
21 oversight of the implementation of the federal
22 Infrastructure Investment and Jobs Act of 2021;

23

1 (vi) Create a plan to enable faster recovery of
2 normal grid operations after a grid outage due to any
3 grid-down event and to maintain critical loads at critical
4 infrastructure, including but not limited to hospitals,
5 fire stations, police stations and law enforcement
6 agencies, airports, military bases and other critical
7 infrastructure in Wyoming necessary to operate during a
8 grid-down event;

9

10 (vii) Monitor and implement best practices for
11 critical infrastructure protection from parallel work being
12 performed locally or nationally that would apply to and
13 benefit Wyoming's critical infrastructure, including the
14 capacity and availability of existing resources for
15 critical infrastructure;

16

17 (viii) Not later than September 30, 2024 and not
18 later than each September 30 thereafter, report
19 recommendations to increase grid resilience and enhance
20 critical infrastructure protection to the joint minerals,
21 business and economic development interim committee, the
22 joint corporations, elections and political subdivisions

1 interim committee and the joint transportation, highways
2 and military affairs interim committee;

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4 (ix) Prepare an analysis and update the analysis
5 of Wyoming's grid resilience and critical infrastructure
6 protection and make recommendations for improvements
7 available to the legislative committees specified in
8 paragraph (viii) of this subsection not later than
9 September 30 of each year;

10

11 (x) Ensure that, in consultation with the public
12 service commission, affected public and cooperative
13 utilities implement equipment modifications, improvements
14 and upgrades related to emergency, cyber and energy
15 efficient modifications;

16

17 (xi) Take any action to achieve or implement the
18 purposes of the critical infrastructure resiliency
19 initiative specified in W.S. 37-19-102 and the purposes of
20 the board specified in subsection (b) of this section.

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22 (e) The members of the board shall serve without
23 compensation or salary but shall, contingent upon available

1 funding, be entitled to reimbursement for actual travel
2 expenses incurred incident to board business. Board members
3 who are government employees or public officials shall be
4 considered on official business of their agency when
5 performing duties as members of the board.

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7 (f) The board may accept any gifts, contributions,
8 donations, grants or federal funds specifically designated
9 for the purposes of this chapter.

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11 (g) The board may request and shall receive
12 assistance and data from any department, division, board,
13 bureau, commission or agency that will enable the board
14 properly to carry out its powers and duties under this
15 chapter.

1

2 **Section 2.** There is appropriated twenty thousand
3 dollars (\$20,000.00) from the general fund to the office of
4 the governor for the period beginning with the effective
5 date of this act and ending June 30, 2024 only for purposes
6 of providing reimbursement for travel expenses for members
7 of the critical resiliency infrastructure board in
8 accordance with this act. This appropriation shall not be
9 expended for any other purpose and any unexpended,
10 unobligated funds remaining from this appropriation shall
11 revert as provided by law on June 30, 2024.

12

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

17

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(END)