

SENATE FILE NO. SF0031

Adjacent land resource data trespass-repeal.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to crimes and offenses; repealing a civil
 2 cause of action for and the crime of trespass to access
 3 adjacent or proximate land for resource data collection
 4 purposes; making conforming amendments; and providing for
 5 an effective date.

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

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9 **Section 1.** W.S. 6-3-414(d)(intro) and 40-27-101(d)
 10 are amended to read:

11

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

14

15 (d) Crimes committed under subsection (a) ~~7~~ or (b) ~~or~~
 16 ~~(e)~~ of this section are punishable as follows:

1

2 **40-27-101. Trespass to unlawfully collect resource**
3 **data; unlawful collection of resource data.**

4

5 (d) A person who trespasses to unlawfully collect
6 resource data, or a person who unlawfully collects resource
7 data ~~or a person who trespasses to access adjacent or~~
8 ~~proximate land~~ under this section shall be liable in a
9 civil action by the owner or lessee of the land for all
10 consequential and economic damages proximately caused by
11 the trespass. In a civil action brought under this
12 section, in addition to damages, a successful claimant
13 shall be awarded litigation costs. For purposes of this
14 subsection, "litigation costs" shall include, but ~~is~~ are
15 not limited to, court costs, expert witness fees, other
16 witness fees, costs associated with depositions and
17 discovery, reasonable attorney fees and the reasonably
18 necessary costs of identifying the trespasser, of obtaining
19 effective service of process on the trespasser and of
20 successfully effecting the collection of any judgment
21 against the trespasser.

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1 **Section 2.** W.S. 6-3-414(c) and 40-27-101(c) are
2 repealed.

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

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(END)