

ENROLLED ACT NO. 58, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2025 GENERAL SESSION

AN ACT relating to defense forces and affairs; prohibiting the use and operation of unmanned aircraft systems over critical infrastructure and critical systems; specifying exceptions; providing and amending penalties; authorizing the use of the Wyoming national guard; providing definitions; making conforming amendments; providing duties for the attorney general; and providing for an effective date.

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

Section 1. W.S. 19-13-503 is created to read:

ARTICLE 5

PROTECTION OF CRITICAL INFRASTRUCTURE

19-13-503. Unlawful operation of unmanned aircraft systems over critical infrastructure and systems prohibited; permitted actions by law enforcement.

(a) Except as provided in subsection (c) of this section, no person shall operate or use an unmanned aircraft system over or near critical infrastructure or a critical system:

(i) To intentionally photograph critical infrastructure or a critical system;

(ii) To intentionally loiter over or near critical infrastructure or a critical system;

(iii) In furtherance of any other criminal offense.

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(b) Unless otherwise authorized by law, no person shall operate or use an unmanned aircraft system or model aircraft that is carrying, contains or is an explosive device over or near critical infrastructure or a critical system. This subsection shall not apply to law enforcement and the military while acting in the course of their lawful duties.

(c) This section shall not apply to:

(i) A person authorized by the federal aviation administration to operate or use an unmanned aircraft system if the person's operation or use complies with the authorization granted or with rules promulgated by the federal aviation administration;

(ii) A governmental entity's use of an unmanned aircraft system owned by the governmental entity;

(iii) The use of an unmanned aircraft system by the owner or the owner's agent of critical infrastructure or a critical system on or near the owner's critical infrastructure or critical system;

(iv) The use of an unmanned aircraft system by a law enforcement agency, emergency medical service agency, hazardous materials response team, disaster management agency or other emergency management agency for the purpose of incident command, area reconnaissance, personnel and equipment deployment monitoring, training or a related purpose;

(v) The use of an unmanned aircraft system by a private landowner on property owned by the private landowner.

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(d) A person who violates subsection (a) or (b) of this section is guilty of:

(i) A misdemeanor punishable by imprisonment not to exceed six (6) months, a fine not to exceed two thousand five hundred dollars (\$2,500.00), or both, for a first offense;

(ii) A felony punishable by imprisonment not to exceed two (2) years, a fine not to exceed five thousand dollars (\$5,000.00), or both, for a second or subsequent offense.

(e) A peace officer or law enforcement official may take or authorize the use of reasonable actions to prevent or stop the use of unmanned aircraft systems or model aircrafts operating in violation of this section. For purposes of this subsection, reasonable actions may include disabling, damaging or removing the unmanned aircraft system or model aircraft from the prohibited location.

(f) The governor may order the national guard of Wyoming to assist in taking or using reasonable actions to prevent or stop the use of unmanned aircraft systems or model aircrafts operating in violation of this section, in accordance with W.S. 19-9-207.

(g) The attorney general shall represent Wyoming national guard members, peace officers or law enforcement officials in litigation that may commence due to a national guard member's, peace officer's or law enforcement official's compliance with subsection (e) or (f) of this section.

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Section 2. W.S. 10-4-303 by creating a new subsection (d), 19-9-207(a) by creating a new paragraph (iv) and by renumbering (iv) as (v) and 19-13-501(a) by creating new paragraphs (vi) through (viii) are amended to read:

10-4-303. Low or dangerous flight; landing on land or water of another; penalties and remedies.

(d) A person who operates or uses an unmanned aircraft in a manner that is not lawful under subsection (a) of this section shall be guilty of a misdemeanor punishable by imprisonment not to exceed six (6) months, a fine not to exceed seven hundred fifty dollars (\$750.00), or both.

19-9-207. Suppressing tumult; preserving order, insuring public safety; expenses; creation of additional units; draft.

(a) The governor may order any designated person or commanding officer of any military unit to appear with or without his command at a time and place specified to:

(iv) Prevent or stop the use of unmanned aircraft systems or model aircrafts violating W.S. 19-13-503;

~~(iv)~~(v) Perform such other duties as the commander in chief may require and which the militia or national guard may lawfully perform.

19-13-501. Definitions.

(a) As used in this article:

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(vi) "Critical system" means any one (1) or more of the following:

(A) A petroleum refinery;

(B) A petroleum, chemical or rubber production, transportation, storage or processing facility;

(C) A chemical manufacturing facility;

(D) A water or wastewater treatment facility and water development, distribution or conveyance system, including a dam;

(E) An electric generation facility and any associated substation or switchyard;

(F) An electrical transmission or distribution substation;

(G) An electrical transmission line of not less than sixty-nine thousand (69,000) volts;

(H) An electronic communication station or tower;

(J) An energy control center;

(K) A distribution operating center;

(M) A facility that transfers or distributes natural gas, including a compressor station, regulator station, city gate station or pressure-limiting station or a liquefied natural gas facility or supplier tap facility;

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(N) Any railroad infrastructure or facility;

(O) A federal, state, county, chancery or municipal court;

(P) A public safety or emergency operation facility;

(Q) A federal, state, county or municipal jail or correctional facility or any other facility where persons are incarcerated;

(R) A federal or state military installation or facility;

(S) A hospital that receives air ambulance services;

(T) Any surface, subsurface or in-situ mining or manufacturing infrastructure or facility;

(U) Any other facility or property deemed to be a critical infrastructure or critical system by the governor.

(vii) "Model aircraft" means as defined in section 336 of the FAA Modernization and Reform Act of 2012, P.L. 112-95;

(viii) "Unmanned aircraft system" means as defined by W.S. 6-5-214(a)(iii).

ORIGINAL SENATE
FILE NO. SF0132

ENGROSSED

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk