

A BILL

For

AN ACT relating to authorities of commercial nuclear power reactor licensee armed security guards.

*Be It Enacted by the People of the State of Wyoming:*

**Section 1.** W.S. 6-6-401 through 6-6-404 are created to read:

**6-6-401. Definitions.**

(a) In this chapter, unless the context otherwise requires:

(i) "Armed nuclear security guard" means a person employed by or contracted with a nuclear power reactor nuclear regulatory commission licensee at a commercial nuclear generating station, who is employed as part of the security plan approved by the nuclear regulatory commission and who meets the requirements mandated by the nuclear regulatory commission for carrying a firearm.

(ii) "Commercial nuclear generating station" means a facility that is owned by a public service corporation; a municipal corporation or a consortium of public service corporations or municipal corporations; or an individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency other than the nuclear

regulatory commission and that produces electricity by means of a nuclear reactor pursuant to a license issued by the nuclear regulatory commission and includes the property on which the facility is located.

(iii) "Enter" means the intrusion of any part of any instrument or any part of a person's body no matter how slight inside of a commercial nuclear generating station or a structure or fenced yard of a commercial nuclear generating station.

(iv) "Entering or remaining unlawfully" means an act by a person who enters or remains in or on a commercial nuclear generating station or a structure or fenced yard of a commercial nuclear generating station if that person's intent for entering or remaining is not licensed, authorized or otherwise privileged.

(v) "Structure or fenced yard" means any structure, fenced yard, wall, building or other similar barrier or any combination of structures, fenced yards, walls, buildings or other barriers that surrounds a commercial nuclear generating station and that is posted with signage indicating it is a felony to trespass.

**6-6-402. Criminal trespass on commercial nuclear generating station.**

(a) A person commits criminal trespass on a commercial nuclear generating station by knowingly either:

(i) Entering or remaining unlawfully in or on a commercial nuclear generating station.

(ii) Entering or remaining unlawfully within a structure or fenced yard of a commercial nuclear generating station.

(b) Criminal trespass on a commercial nuclear generating station is a felony punishable by imprisonment for not more than five (5) years, a fine of not more than one thousand dollars (\$1,000), or both.

**6-6-403. Use of force; armed nuclear security guards.**

(a) An armed nuclear security guard is justified in using physical force against another person at a commercial nuclear generating station or structure or fenced yard of a commercial nuclear generating station if the armed nuclear security guard reasonably believes that such force is necessary to prevent or terminate the commission or attempted commission of criminal entry under 6-3-301, 6-3-302 or 6-3-303 or criminal trespass on a commercial nuclear generating station under section 6-6-402.

(b) An armed nuclear security guard is justified in using physical force up to and including deadly physical force against another person at a commercial nuclear generating station or structure or fenced yard of a commercial nuclear generating station if the armed nuclear security guard reasonably believes that such force is necessary to:

(i) Prevent the commission of manslaughter under section 6-2-105, second- or first-degree murder under sections 6-2-101 or 6-2-104, aggravated assault under section 6-2-502,

kidnapping under section 6-2-201, burglary under section 6-3-301 or criminal entry under 6-3-302, arson under sections 6-3-101 or 6-3-103, or robbery under section 6-2-401.

(ii) Prevent acts of radiological sabotage or the theft or diversion of special nuclear material pursuant to a security plan approved by the nuclear regulatory commission.

(iii) Defend oneself or a third person from the use or imminent use of deadly physical force.

c. Notwithstanding any other provision of this chapter, an armed nuclear security guard is justified in threatening to use physical or deadly physical force if and to the extent a reasonable armed nuclear security guard believes it necessary to protect oneself or others against another person's potential use of physical force or deadly physical force.

d. An armed nuclear security guard is not subject to civil liability for engaging in conduct that is otherwise justified pursuant to this chapter.

**6-6-404. Detention authority; armed nuclear security guards.**

(a) An armed nuclear security guard, with reasonable belief, may detain in or on a nuclear generating facility or a structure or fenced yard of a nuclear generating facility in a reasonable manner and for a reasonable time any person who is

suspected of or attempting to commit any of the crimes specified under subsection (a) or (b) of W.S. 6-6-403, and amendments thereto, for the purpose of summoning a law enforcement officer.

(b) Reasonable belief of an armed nuclear security guard is a defense to a civil or criminal action against an armed nuclear security guard, such guard's employer or any owner of the commercial nuclear generating station where such guard is employed for false arrest, false or unlawful imprisonment or wrongful detention.

**Section 2.** This act is effective July 1, 2026.