

HOUSE BILL NO. HB0126

Agriculture operations.

Sponsored by: Representative(s) Wallis and Senator(s) Driskill

A BILL

for

1 AN ACT relating to agriculture; establishing the offense of
2 interference with an agricultural operation; requiring
3 reporting of cruelty to livestock; providing definitions;
4 providing penalties; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 11-30-116 is created to read:

9

10 **11-30-116. Interference with an agricultural**
11 **operation; penalty.**

12

13 (a) As used in this section:

14

1 (i) "Agricultural operation" means private
2 property used for the production of livestock or livestock
3 products;

4
5 (ii) "Livestock" means as defined in W.S.
6 11-30-114.

7
8 (b) A person is guilty of interference with an
9 agricultural operation if the person:

10
11 (i) Without consent from the owner or manager of
12 the agricultural operation, knowingly or intentionally
13 records an image of or sound from the agricultural
14 operation by concealing or placing a recording device on
15 the premises of the agricultural operation;

16
17 (ii) Without consent from the owner or manager
18 of the agricultural operation, knowingly or intentionally
19 records an image of or sound from the agricultural
20 operation while committing criminal trespass under W.S.
21 6-3-303;

22
23 (iii) Obtains access to an agricultural
24 operation under false pretenses; or

1

2 (iv) While employed at and present on an
3 agricultural operation, records an image of or sound from
4 the agricultural operation if the person:

5

6 (A) Applied for employment at an
7 agricultural operation with an intent to record an image or
8 sound from the agricultural operation; and

9

10 (B) Knew at the time the person accepted
11 employment that the owner of the agricultural operation
12 prohibits the employee from recording an image or sound
13 from the agricultural operation.

14

15 (c) Any person who violates any provision of this
16 section shall be punished as provided in W.S. 11-1-103.

17

18 **Section 2.** W.S. 11-1-103 and 11-29-106 are amended to
19 read:

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21 **11-1-103. Penalty for violations.**

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23 A person who violates any of the following sections commits
24 a misdemeanor punishable by imprisonment for not more than

1 six (6) months, a fine of not more than seven hundred fifty
2 dollars (\$750.00), or both for the first offense, or by
3 imprisonment for not more than one (1) year, a fine of not
4 more than one thousand five hundred dollars (\$1,500.00), or
5 both for second or subsequent offenses: W.S. 11-6-210(a) or
6 (f), 11-18-112, 11-19-101, 11-19-102, 11-19-103, 11-19-111,
7 11-19-401, 11-20-114, 11-20-117, 11-20-229, 11-20-230,
8 11-21-104, 11-22-118, 11-23-106, 11-23-207, 11-24-106,
9 11-29-106(b), 11-30-114, 11-30-116 and 11-48-102. A person
10 who violates board rules promulgated pursuant to W.S.
11 11-18-103(a)(v) shall be subject to the penalties specified
12 in this section.

13

14 **11-29-106. Livestock board; authority to prevent**
15 **cruelty; penalty for interference with officer; duty to**
16 **report.**

17

18 (a) Any peace officer, agent or officer of the board
19 may lawfully interfere to prevent the perpetration of any
20 act of cruelty upon any livestock animal in his presence.
21 Any person who interferes with, obstructs or resists any
22 peace officer or officer or agent of the board in the
23 discharge of his duty shall be fined not less than two
24 hundred dollars (\$200.00) nor more than one thousand five

1 hundred dollars (\$1,500.00), or imprisoned not more than
2 one (1) year, or both.

3

4 (b) Any person who knows that a livestock animal is
5 being cruelly treated as defined in W.S. 6-3-203 shall
6 report the information immediately to the owner or manager
7 of the agricultural operation or any peace officer, agent
8 or officer of the board within forty-eight (48) hours.
9 Anyone who in good faith makes a report pursuant to this
10 subsection is immune from civil liability for making the
11 report. A failure to report cruelty under this subsection
12 is a misdemeanor punishable as provided in W.S. 11-1-103.

13

14 **Section 3.** This act is effective July 1, 2013.

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16

(END)