

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; providing
3 immunity for reporting cruelty to livestock as specified;
4 providing for assistance by livestock board; providing
5 definitions; providing a penalty; and providing for an
6 effective date.

7

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

9

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

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12 **11-30-116. Interference with an agricultural**
13 **operation; immunity; penalty.**

14

15 (a) As used in this section:

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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, other than a law enforcement officer
9 acting within the scope of his duties, is guilty of
10 interference with an agricultural operation if the person:

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

17
18 (ii) Without consent from the owner or manager
19 of the agricultural operation, knowingly or intentionally
20 records an image of or sound from the agricultural
21 operation while committing criminal trespass under W.S.
22 6-3-303;

23

1 (iii) Obtains access to an agricultural
2 operation under false pretenses; or

3

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

7

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

11

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

16

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

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20 (d) Any person who observes a livestock animal being
21 cruelly treated, as defined in W.S. 6-3-203, at an
22 agricultural operation who in good faith reports the
23 alleged cruelty to any peace officer employed by a local
24 government with jurisdiction in the area where the alleged

1 cruelty has occurred shall be immune from civil liability
2 for making the report if the report is made within forty-
3 eight (48) hours of the person's observation of the alleged
4 cruelty. The board and its agents shall act as a resource
5 and provide assistance if requested by the local government
6 authorities in cases reported under this subsection.

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8 **Section 2.** W.S. 11-1-103 is amended to read:

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10 **11-1-103. Penalty for violations.**

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12 A person who violates any of the following sections commits
13 a misdemeanor punishable by imprisonment for not more than
14 six (6) months, a fine of not more than seven hundred fifty
15 dollars (\$750.00), or both for the first offense, or by
16 imprisonment for not more than one (1) year, a fine of not
17 more than one thousand five hundred dollars (\$1,500.00), or
18 both for second or subsequent offenses: W.S. 11-6-210(a) or
19 (f), 11-18-112, 11-19-101, 11-19-102, 11-19-103, 11-19-111,
20 11-19-401, 11-20-114, 11-20-117, 11-20-229, 11-20-230,
21 11-21-104, 11-22-118, 11-23-106, 11-23-207, 11-24-106,
22 11-30-114, 11-30-116 and 11-48-102. A person who violates
23 board rules promulgated pursuant to W.S. 11-18-103(a)(v)

1 shall be subject to the penalties specified in this
2 section.

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

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6

(END)