

HOUSE BILL NO. HB0167

Material support to designated entities.

Sponsored by: Representative(s) Gay and Baker and
Senator(s) Meier

A BILL

for

1 AN ACT relating to crimes and offenses; prohibiting
2 material support of terrorism and designated entities as
3 specified; providing legislative findings; providing an
4 exception; providing definitions; providing a penalty; and
5 providing for an effective date.

6

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

8

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

11

12 ARTICLE 4

13 MATERIAL SUPPORT TO DESIGNATED ENTITIES

14

15 **6-6-401. Legislative findings.**

1
2 The legislature finds and declares that the threat from
3 terrorism arises from a variety of sources and means other
4 than through the utilization of weapons of mass
5 destruction. The legislature finds that this state has a
6 compelling state interest in preventing terrorism within
7 its borders and the prohibitions set forth in this article
8 are meant to be a focused and least intrusive method for
9 this state to protect its residents from those threats. The
10 legislature further declares that this article does not
11 target, prohibit or inhibit the peaceful practice of any
12 religion.

13

14 **6-6-402. Definitions.**

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16 (a) As used in this article:

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18 (i) "Designated entity" means any entity
19 designated by the United States department of state as a
20 foreign terrorist organization in accordance with section
21 219 of the Immigration and Nationality Act, as amended, or
22 by the United States department of the treasury as a

1 specially designated national in accordance with 31 CFR
2 part 500;

3
4 (ii) "Expert advice or assistance" means advice
5 or assistance derived from scientific, technical, legal or
6 other specialized knowledge. "Expert advice or assistance"
7 does not include legal services provided to a defendant in
8 relation to any action brought pursuant to this article or
9 pursuant to other state or federal law;

10
11 (iii) "Financial institution" means as defined
12 in W.S. 13-1-101(a)(ix);

13
14 (iv) "Material support or resources" means any
15 tangible or intangible property or service including,
16 without limitation, currency or monetary instruments or
17 financial securities, financial services, lodging,
18 training, expert advice or assistance, safe houses, false
19 documentation or identification, communications equipment,
20 facilities, weapons, lethal substances, explosives,
21 transportation and personnel. "Material support or
22 resources" does not include medicine or religious
23 materials;

1

2 (v) "Terrorism" means as that term is defined in
3 18 U.S.C. 2331;

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5 (vi) "Training" means instruction or teaching
6 designed to impart a specific skill, as opposed to general
7 knowledge.

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9 **6-6-403. Material support prohibited; penalty;**
10 **exception.**

11

12 (a) No person shall provide material support or
13 resources to:

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15 (i) Any person known by the person providing
16 material support or resources to be planning or carrying
17 out an act of terrorism in this state or concealing or
18 attempting to escape after committing or attempting to
19 commit an act of terrorism; or

20

21 (ii) Any designated entity if the person has
22 actual knowledge that the entity is a designated entity.

23

1 (b) Any person violating subsection (a) of this
2 section is guilty of a felony punishable by imprisonment
3 for not more than fifteen (15) years, a fine of not more
4 than fifteen thousand dollars (\$15,000.00), or both.

5
6 (c) This section shall not apply to any financial
7 service, funds transfer or securities transaction conducted
8 in the ordinary course of business by a financial
9 institution subject to the information sharing, suspicious
10 activity reporting or currency transaction reporting
11 requirements of the Bank Secrecy Act or the USA Patriot
12 Act, provided that any financial institution that acts with
13 the intent to assist, aid or abet any person planning or
14 carrying out an act of terrorism in this state, or
15 concealing or attempting to escape after committing or
16 attempting to commit an act of terrorism shall remain
17 liable under subsection (a) of this section.

18
19 (d) A person prosecuted under paragraph (a)(ii) of
20 this section shall be afforded the same due process rights
21 as are afforded to persons prosecuted under 18 U.S.C.
22 section 2339B.

23

(e) The attorney general shall notify the United States department of state and any other appropriate federal department or agency of any violation of subsection (a) of this section.

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6 6-6-404. Religion not a defense.

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8 Religious justification for violence or criminal activity
9 prohibited by this article shall not be considered a
10 justification or defense for a violation of this article
11 and shall not prohibit prosecution of a violation of this
12 article.

13

14 **Section 2.** This act is effective July 1, 2015.

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16

(END)