

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1123 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Scott Biggs

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 1123

By: Biggs

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; making certain acts unlawful; providing penalties; defining term; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1792 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. Any person who shall willfully trespass or enter property containing a critical infrastructure facility without permission by the owner of the property or lawful occupant thereof shall, upon conviction, be guilty of a misdemeanor punishable by a fine of not less than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of six (6) months, or by both such fine and imprisonment. If it is determined the intent of the trespasser is to willfully damage, destroy, vandalize, deface, tamper with

1 equipment, or impede or inhibit operations of the facility, the
2 person shall, upon conviction, be guilty of a felony punishable by a
3 fine of not less than Ten Thousand Dollars (\$10,000.00), or by
4 imprisonment in the custody of the Department of Corrections for a
5 term of one (1) year, or by both such fine and imprisonment.

6 B. Any person who shall willfully damage, destroy, vandalize,
7 deface or tamper with equipment in a critical infrastructure
8 facility shall, upon conviction, be guilty of a felony punishable by
9 a fine of One Hundred Thousand Dollars (\$100,000.00), or by
10 imprisonment in the custody of the Department of Corrections for a
11 term of not more than ten (10) years, or by both such fine and
12 imprisonment.

13 C. If an organization is found to be a conspirator with persons
14 who are found to have committed any of the crimes described in
15 subsection A or B of this section, the conspiring organization shall
16 be punished by a fine that is ten times the amount of said fine
17 authorized by the appropriate provision of this section.

18 D. As used in this section, "critical infrastructure facility"
19 means:

20 1. One of the following, if completely enclosed by a fence or
21 other physical barrier that is obviously designed to exclude
22 intruders, or if clearly marked with a sign or signs that are posted
23 on the property that are reasonably likely to come to the attention
24

1 of intruders and indicate that entry is forbidden without site
2 authorization:

- 3 a. a petroleum or alumina refinery,
- 4 b. an electrical power generating facility, substation,
5 switching station, electrical control center or
6 electric power lines and associated equipment
7 infrastructure,
- 8 c. a chemical, polymer or rubber manufacturing facility,
- 9 d. a water intake structure, water treatment facility,
10 wastewater treatment plant or pump station,
- 11 e. a natural gas compressor station,
- 12 f. a liquid natural gas terminal or storage facility,
- 13 g. a telecommunications central switching office,
- 14 h. wireless telecommunications infrastructure, including
15 cell towers, telephone poles and lines, including
16 fiber optic lines,
- 17 i. a port, railroad switching yard, railroad tracks,
18 trucking terminal or other freight transportation
19 facility,
- 20 j. a gas processing plant, including a plant used in the
21 processing, treatment or fractionation of natural gas
22 or natural gas liquids,
- 23 k. a transmission facility used by a federally licensed
24 radio or television station,

1. a steelmaking facility that uses an electric arc furnace to make steel,
- m. a facility identified and regulated by the United States Department of Homeland Security Chemical Facility Anti-Terrorism Standards (CFATS) program,
- n. a dam that is regulated by the state or federal government,
- o. a natural gas distribution utility facility including, but not limited to, pipeline interconnections, a city gate or town border station, metering station, aboveground piping, a regulator station and a natural gas storage facility, or
- p. a crude oil or refined products storage and distribution facility including, but not limited to, valve sites, pipeline interconnections, pump station, metering station, below or aboveground pipeline or piping and truck loading or offloading facility; or

2. Any aboveground portion of an oil, gas, hazardous liquid or chemical pipeline, tank, railroad facility or other storage facility that is enclosed by a fence, other physical barrier or is clearly marked with signs prohibiting trespassing, that are obviously designed to exclude intruders.

SECTION 2. This act shall become effective November 1, 2017.

56-1-6986 GRS 02/17/17