S.F. No. 0012 Trespassing to collect data.

Sponsored By: Joint Judiciary Interim Committee

AN ACT relating to crimes and offenses; creating the crimes of trespassing to unlawfully collect resource data and unlawful collection of resource data; limiting use of unlawfully collected data; providing for expungement; providing definitions; and providing for an effective date.

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12/16/2014 Bill Number Assigned

1/13/2015 S Received for Introduction

1/14/2015 S Introduced and Referred to S01 - Judiciary

1/19/2015 Judiciary:Recommend Amend and Do Pass 5-0-0-0-0
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ROLL CALL

Ayes: Senator(s) Christensen, Esquibel, F., Hicks, Kinskey, Von Flatern

Ayes 5 Nays 0 Excused 0 Absent 0 Conflicts 0

1/19/2015 S Placed on General File

SF0012SS001/ADOPTED

Page	2-line 1	Delete "for".
Page	2-line 2	Delete "the purpose of collecting" insert "and
		collects".
Page	2-line 10	Delete "or verbal".
Page	2-line 12	After "collect" insert "the specified"; delete
		"The written or verbal".
Page	2-lines 13 and 14	Delete.
Page	3-line 1	Delete "or verbal".
Page	3-line 3	After "collect" insert "the specified"; delete
		"The written or verbal permission".
Page	3-line 4	Delete.
Page	5-line 16	After "bases" insert ", and it shall not be
		considered in determining any agency action".
		CHRISTENSEN, CHAIRMAN

1/19/2015 S COW Passed

SF0012S2001/ADOPTED

Page 2-line 1	Delete the Senate Standing Committee Amendment
	(SF0012SS001/A) to this line.
Page 2-line 2	Delete the Senate Standing Committee Amendment
	(SF0012SS001/A) to this line.
Page 5-after line 3	Insert:
"(D)	Collected incidental to a recreational activity
<u>-</u>	done with statutory, contractual or other legal
authorization to enter	or cross open private land and the data is not

SF0012S2002/FAILED

Page 2-line 4	After "(ii)" insert "Knows he".
Page 2-line 18	Delete "without" insert "and knows he does not
	have".
Page 3-after line 8	<pre>Insert:</pre>

used for legal or regulatory proceeding.". PERKINS

"(i) For a	first offense by a fine of not more than seven
hundred fifty dollars (\$750.00);".
Page 3-line 10	Delete "(i)" insert "(ii) For a second offense".
Page 3-line 14	Delete "(ii)" insert "(iii) For a third or subsequent offense".
Page 3-line 16	After "both" insert "." and delete balance of line.
Page 3-lines 17 through	19 Delete.
Page 5-line 5	After "collected" delete balance of line.
Page 5-line 6	Delete "section" insert "without the
	authorization or permission specified in paragraph (a) (ii) of this section".
Page 5-line 9	After "the" insert "actor knowingly collected
-	the resource data without authorization or
	permission, and whether or not a".
Page 5-line 13	After "collected" delete balance of line.
Page 5-line 14	Delete "section" insert "without the
	authorization or permission specified in

SF0012S2003/ADOPTED

Page 2-line	10	Delete	the	Senate	Standing	Committee	Amendment
		(SF0012	2SS00	01/A) to	this lin	e.	
Page 3-line	1	Delete	the	Senate	Standing	Committee	Amendment
		(SF0012	2SS00	01/A) to	this lin	e. HICKS	

paragraph (a) (ii) of this section". ROTHFUSS

1/21/2015	S	2nd	Reading:Laid Back
1/22/2015	S	3rd	Reading:Passed 26-3-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, J.D.(SD02), Anderson, J.L.(SD28), Barnard, Bebout, Burns, Case, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Nicholas Pres, Pappas, Perkins, Peterson, Von Flatern, Wasserburger

Nays: Senator(s) Ross, Rothfuss, Scott

Excused: Senator Meier

Ayes 26 Nays 3 Excused 1 Absent 0 Conflicts 0

1/26/2015 H Received for Introduction 2/6/2015 H Introduced and Referred to H01 - Judiciary 2/11/2015 Judiciary:Recommend Amend and Do Pass 8-1-0-0-0

ROLL CALL

Representative(s) Baker, Esquibel, K., Halverson, Kroeker, Ayes: Krone, Miller, Pownall, Winters

Nays: Representative Pelkey

Ayes 8 Nays 1 Excused 0 Absent 0 Conflicts 0

2/11/2015 H Placed on General File

SF0012HS001/ADOPTED (TO ENGROSSED COPY)

Page 3-line 9

Page 3-line 10

Delete "six (6)".

Delete "months" insert "one (1) year"; delete "five thousand dollars".

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Page 3-line 11 Delete "($5,000.00)" insert "one thousand
                         dollars ($1,000.00)".
                     Delete "open private" insert "private open"; after "for" insert "a". MILLER, CHAIRMAN
Page 5-line 4
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SF0012HW001/FAILED (TO ENGROSSED COPY)

Page 5-line 5 Delete "." insert ";".
Page 5-After line 5 Insert:

"(E) Concerning the health, treatment or welfare of a domesticated animal.". PETROFF

SF0012HW002/FAILED (TO ENGROSSED COPY) Page 2-line 1 Delete "or crosses private"

Page 2-line l	Delete "or crosses private".
Page 2-line 7	Delete "cross" insert "access".
Page 2-line 15	Delete "or crosses".
Page 2-line 19	Delete "or cross"; before "land" insert
	"private".
Page 2-line 20	Before "resource" insert "the specified".
Page 3-line 2	Delete "or cross".

Page 3-after line 20 Insert:

"(i) "Collect" means to take a sample of material, acquire, gather, photograph or otherwise preserve information in any form from open land which is submitted or intended to be submitted to any agency of the state or federal government;".

Page	3-line	22	Delete	"(i)"	insert '	"(ii)".
Page	4-line	4	Delete	"(ii)"	insert	"(iii)".

Page 4-line 7 Delete "(iii)" insert "(iv)". HALVERSON

SF0012HW003/FAILED (TO ENGROSSED COPY)

Page 2-line 4	After "(ii)" insert "Knows he".
Page 2-line 16	Delete "without" insert "and knows he does not have".
Page 5-line 7	After "collected" delete balance of line.
Page 5-line 8	Delete "section" insert "without the
	authorization or permission specified in
	paragraph (a)(ii) of this section".
Page 5-line 11	After "the" insert "actor knowingly collected
	the resource data without authorization or
	permission, and whether or not a".
Page 5-line 15	After "collected" delete balance of line.
Page 5-line 16	Delete "section" insert "without the
	authorization or permission specified in
	paragraph (a)(ii) of this section". NICHOLAS,
	В.

2/18/2015 H COW Passed

SF0012H2001/FAILED (TO ENGROSSED COPY)
Page 3-lines 9 through 11 Delete entirely, including the house standing committee amendment SF0012HS001/AE) to these lines and insert:

"(i) By imprisonment for not more than one (1) year, a fine of not more than five thousand dollars (\$5,000.00), or both;". HALVERSON

SF0012H2002/FAILED (TO ENGROSSED COPY)

Page 3-After line 20 Insert:

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"(i) "Collect" means to take a sample of material,
acquire, gather, photograph or otherwise preserve information in any
form from private open land which is submitted or intended to be
submitted to any agency of the state or federal government;".
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```
Delete "(i)" insert "(ii)".
Page 3-line 22
Page 4-line 4
                     Delete "(ii)" insert "(iii)".
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Page 4-line 7 Delete "(iii)" insert "(iv)". NICHOLAS, B.

SF0012H2003/ADOPTED (TO ENGROSSED COPY)

Page 2-line 6	After "(A)" insert "An ownership interest in
	the real property or,".
Page 2-line 18	After "(i)" insert "An ownership interest in
	the real property or,".
Page 5-line 2	Delete "done" insert "by a person with an
	ownership interest in the real property or".
	THRONE, STUBSON

2/19/2015 H 2nd Reading: Passed

SF0012H3001/ADOPTED (TO ENGROSSED COPY)

```
Page 2-line 1
                     Delete "or crosses private".
Page 2-line 7
                     Delete "cross" insert "access".
                     Delete "cross" insert "access".
Page 2-line 11
Page 2-line 15
                      Delete "or crosses".
                                            before "land" insert
Page 2-line 19
                      Delete "or cross";
                      "private".
                      Before "resource" insert "the specified".
Page 2-line 20
                      Delete "or cross".
Page 3-line 2
Page 3-After line 20 Insert:
```

"(i) "Collect" means to take a sample of material, acquire, gather, photograph or otherwise preserve information in any form from private open land which is submitted or intended to be submitted to any agency of the state or federal government to challenge compliance with federal or state laws or to otherwise affect the legal rights of the landowner;".

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Delete "(i)" insert "(ii)".
Page 3-line 22
                       Delete "(ii)" insert "(iii)".
Page 4-line 4
                      Delete "(iii)" insert "(iv)".
Page 4-line 7
                      Delete ";" insert ".".
```

Page 4-line 22

Page 5-lines 1 through 5 Delete entirely including the standing committee amendment (SF0012HS001/A) and the Throne et al. second reading amendment (SF0012H2003/A) to these lines.

After "violator." delete balance of line. Page 5-line 11 Page 5-lines 12 and 13 Delete entirely. NICHOLAS, B., HALVERSON

SF0012H3002/FAILED (TO ENGROSSED COPY)

Page 3-After line 3 Insert:

"(c) It is an affirmative defense to prosecution under this section that a person reasonably believed he had the authorization or permission specified in paragraphs (a)(ii) and (b)(i) and (ii) of this section."

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Page 3-line 5
                       Delete "(c)" insert "(d)".
                      Delete "(d)" insert "(e)".
Delete "(e)" insert "(f)".
Page 3-line 20
Page 5-line 7
                    Delete "(f)" insert "(g)". NICHOLAS, B.
Page 5-line 15
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SF0012H3003/FAILED (CORRECTED COPY) (TO ENGROSSED COPY)

Page 3-After line 20 Delete the Nicholas, B. et al. amendment (SF0012H3001/AE) to this line and insert:

"(i) "Collect" means to take a sample of material, acquire, gather, photograph or otherwise preserve information in any form from open land which is submitted or intended to be submitted to any agency of the state or federal government;".

Page 3-line 22 Delete the Nicholas, B. et al. amendment (SF0012H3001/AE) to this line; delete "(i)"

insert "(ii)".

Page 4-line 4 Delete the Nicholas, B. et al. amendment (SF0012H3001/AE) to this line; delete "(ii)"

insert "(iii)".

Page 4-line 7 Delete the Nicholas, B. et al. amendment (SF0012H3001/AE) to this line; delete "(iii)"

insert "(iv)". ALLEN, HALVERSON, STEINMETZ

2/20/2015 H 3rd Reading:Laid Back

2/23/2015 H 3rd Reading: Passed 49-10-1-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baker, Baldwin, Barlow, Berger, Blackburn, Blake, Brown Speaker, Burkhart, Campbell, Cannady, Clem, Edmonds, Edwards, Eklund, Esquibel, Freeman, Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kasperik, Kirkbride, Kroeker, Krone, Larsen Lloyd, Laursen Dan, Lindholm, Lockhart, Loucks, Madden, McKim, Miller, Moniz, Northrup, Paxton, Piiparinen, Pownall, Reeder, Sommers, Steinmetz, Stubson, Throne, Wilson, Winters, Zwonitzer, Dn

Nays: Representative(s) Byrd, Connolly, Dayton, Gay, Nicholas, Pelkey, Petroff, Schwartz, Walters, Zwonitzer, Dv

Excused: Representative Patton

2/23/2015 S Received for Concurrence 2/24/2015 S Concur: Failed 0-29-1-0-0

ROLL CALL

Nays: Senator(s) Anderson, J.D.(SD02), Anderson, J.L.(SD28), Barnard, Bebout, Burns, Case, Christensen, Coe, Cooper, Craft, Dockstader, Emerich, Esquibel, Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas Pres, Pappas, Perkins, Peterson, Ross, Rothfuss, Scott, Von Flatern, Wasserburger

Excused: Senator Driskill

Ayes 0 Nays 29 Excused 1 Absent 0 Conflicts 0

2/24/2015 S Appointed JCC01 Members

Senator(s) Hicks, Esquibel, F., Kinskey

2/26/2015 H Appointed JCC01 Members

Representative(s) Miller, Baker, Walters

3/2/2015 S Adopted SF0012JC001: 26-4-0-0-0

SF0012JC001/SADOPTED (TO ENGROSSED COPY)

Adopt the following House amendments:

SF0012H2003/A

SF0012HS001/A

Delete the following House amendments:

SF0012H3001/A

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Further amend the ENGROSSED COPY as follows:
Page 2-line 1 Delete "or crosses private".
Page 2-line 7 Delete "cross" insert "access".
Page 2-line 11 Delete "cross" insert "access".
                      Delete "or crosses".
Page 2-line 15
                      Delete "or cross"; before "land" insert
Page 2-line 19
                       "private".
                      Before "resource" insert "the specified".
Page 2-line 20
                       Delete "or cross".
Page 3-line 2
Page 3-After line 20 Insert:
            "(i) "Collect" means to take a sample of material,
acquire, gather, photograph or otherwise preserve information in any
form from open land which is submitted or intended to be submitted to
any agency of the state or federal government;".
Page 3-line 22 Delete "(i)" insert "(ii)".
                      Delete "(ii)" insert "(iii)".
Page 4-line 4
Page 4-line 7 Delete "(iii)" insert "(iv)".
Page 4-line 22 Delete ";" insert ".".
Page 5-lines 1 through 5
                             Delete entirely including the standing
                        committee amendment (SF0012HS001/A) and the
                        Throne et al. second reading amendment
                        (SF0012H2003/A) to these lines.
Page 5-line 11 After "violator." delete balance of line.
Page 5-lines 12 and 13 Delete entirely. HICKS, ESQUIBEL F., KINSKEY,
                        MILLER, BAKER, WALTERS
                                ROLL CALL
Ayes: Senator(s) Anderson, J.D.(SD02), Anderson, J.L.(SD28), Barnard,
Bebout, Burns, Christensen, Coe, Cooper, Craft, Dockstader, Driskill,
Emerich, Esquibel, Geis, Hastert, Hicks, Johnson, Kinskey, Landen,
Meier, Pappas, Perkins, Peterson, Scott, Von Flatern, Wasserburger
Nays: Senator(s) Case, Nicholas Pres, Ross, Rothfuss
Ayes 26
         Nays 4
                    Excused 0
                                Absent 0 Conflicts 0
            H Adopted SF0012JC001: 52-7-1-0-0
3/3/2015
SF0012JC001/SADOPTEDHADOPTED (TO ENGROSSED COPY)
Adopt the following House amendments:
SF0012H2003/A
SF0012HS001/A
Delete the following House amendments:
SF0012H3001/A
Further amend the ENGROSSED COPY as follows:
Page 2-line 1 Delete "or crosses private".
Page 2-line 7
                      Delete "cross" insert "access".
Page 2-line 11
                      Delete "cross" insert "access".
Page 2-line 15
                      Delete "or crosses".
Page 2-line 19
                       Delete "or cross"; before "land" insert
                        "private".
Page 2-line 20 Before "resource" insert "the specified".

Page 3-line 2 Poloto "-- "
                       Delete "or cross".
Page 3-line 2
Page 3-After line 20
                        Insert:
            "(i) "Collect" means to take a sample of material,
acquire, gather, photograph or otherwise preserve information in any
form from open land which is submitted or intended to be submitted to
```

Delete "(i)" insert "(ii)".

any agency of the state or federal government;".

Page 3-line 22

Page 4-line 4

Page 4-line 7

Page 4-line 22

Page 4-line 22

Page 5-lines 1 through 5

Page 5-lines 1 through 5

Page 5-line 11

Page 5-lines 12 and 13

Delete "(ii)" insert "(iv)".

Delete ";" insert ".".

Delete entirely including the standing committee amendment (SF0012HS001/A) and the Throne et al. second reading amendment (SF0012H2003/A) to these lines.

After "violator." delete balance of line.

Page 5-lines 12 and 13

Delete entirely. HICKS, ESQUIBEL F., KINSKEY, MILLER, BAKER, WALTERS

ROLL CALL

Ayes: Representative(s) Allen, Baker, Baldwin, Barlow, Berger, Blackburn, Blake, Brown Speaker, Burkhart, Campbell, Cannady, Clem, Dayton, Edmonds, Edwards, Eklund, Esquibel, Freeman, Gay, Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kasperik, Kirkbride, Kroeker, Krone, Larsen Lloyd, Laursen Dan, Lindholm, Lockhart, Loucks, Madden, McKim, Miller, Moniz, Nicholas, Northrup, Paxton, Piiparinen, Pownall, Reeder, Sommers, Steinmetz, Stubson, Throne, Walters, Wilson, Winters

Nays: Representative(s) Byrd, Connolly, Pelkey, Petroff, Schwartz, Zwonitzer, Dn, Zwonitzer, Dv

Excused: Representative Patton

Ayes 52 Nays 7 Excused 1 Absent 0 Conflicts 0

3/3/2015 Assigned Number SEA No. 0061
3/4/2015 S President Signed SEA No. 0061
3/4/2015 H Speaker Signed SEA No. 0061
3/10/2015 Governor Signed SEA No. 0061
3/10/2015 Assigned Chapter Number
Chapter No. 146 Session Laws of Wyoming 2015