

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 293

100TH GENERAL ASSEMBLY

Reported from the Committee on Commerce, Consumer Protection, Energy and the Environment, March 14, 2019, with recommendation that the Senate Committee Substitute do pass.

1657S.04C

ADRIANE D. CROUSE, Secretary.

AN ACT

To amend chapter 569, RSMo, by adding thereto one new section relating to criminal offenses involving critical infrastructure facilities, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 569, RSMo, is amended by adding thereto one new section, to be known as section 569.086, to read as follows:

569.086. 1. As used in this section, "critical infrastructure facility" means any of the following facilities that are under construction or operational: a petroleum or alumina refinery; critical electric infrastructure, as defined in 18 CFR Section 118.113(c)(3) including, but not limited to, an electrical power generating facility, substation, switching station, electrical control center, or electric power lines and associated equipment infrastructure; a chemical, polymer, or rubber manufacturing facility; a water intake structure, water storage facility, water treatment facility, wastewater treatment plant, wastewater pumping facility, or pump station; a natural gas compressor station; a liquid natural gas terminal or storage facility; a telecommunications central switching office; wireless telecommunications infrastructure, including cell towers, telephone poles and lines, including fiber optic lines; a port, railroad switching yard, railroad tracks, trucking terminal, or other freight transportation facility; a gas processing plant, including a plant used in the processing, treatment, or fractionation of natural gas or natural gas liquids; a transmission facility used by a federally licensed radio or television station; a steelmaking facility that uses an electric arc furnace to make steel; a facility identified and regulated by the United

21 States Department of Homeland Security Chemical Facility Anti-
22 Terrorism Standards (CFATS) program; a dam that is regulated by the
23 state or federal government; a natural gas distribution utility facility
24 including, but not limited to, natural gas distribution and transmission
25 mains and services, pipeline interconnections, a city gate or town
26 border station, metering station, aboveground piping, a regulator
27 station, and a natural gas storage facility; a crude oil or refined
28 products storage and distribution facility including, but not limited to,
29 valve sites, pipeline interconnection, pump station, metering station,
30 below or aboveground pipeline or piping and truck loading or
31 offloading facility, a grain mill or processing facility; a generation,
32 transmission, or distribution system of broadband internet access; or
33 any aboveground portion of an oil, gas, hazardous liquid or chemical
34 pipeline, tank, railroad facility, or other storage facility that is
35 enclosed by a fence, other physical barrier, or is clearly marked with
36 signs prohibiting trespassing, that are obviously designed to exclude
37 intruders.

38 2. A person commits the offense of trespass on a critical
39 infrastructure facility if he or she unlawfully trespasses or enters
40 property containing a critical infrastructure facility without the
41 permission of the owner of the property or lawful occupant
42 thereof. The offense of trespass on a critical infrastructure facility is
43 a class B misdemeanor. If it is determined that the intent of the
44 trespasser is to damage, destroy, vandalize, deface, tamper with
45 equipment, or impede or inhibit operations of the facility, the person
46 shall be guilty of a class A misdemeanor.

47 3. A person commits the offense of damage of a critical
48 infrastructure if he or she damages, destroys, vandalizes, defaces, or
49 tampers with equipment in a critical infrastructure facility. The
50 offense of damage of a critical infrastructure facility is a class C felony.

51 4. If an organization is found to be a conspirator with persons
52 who are found to have committed any of the offenses set forth in
53 subsection 2 or 3 of this section, the conspiring organization shall be
54 punished by a fine that is ten times the amount of the fine attached to
55 the offense set forth in subsection 2 or 3 of this section.

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