

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3024

By: Humphrey of the House

and

**Bullard** of the Senate

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10                                   COMMITTEE SUBSTITUTE

11                   An Act relating to crimes and punishments; amending  
12                   21 O.S. 2021, Section 1792, which relates to trespass  
13                   to critical infrastructure facilities; expanding  
14                   scope of certain prohibited act; defining term;  
15                   modifying definition; and providing an effective  
16                   date.

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

18                   SECTION 1.           AMENDATORY           21 O.S. 2021, Section 1792, is  
19 amended to read as follows:

20                   Section 1792. A. Any person who shall willfully trespass ~~or,~~  
21 enter, or loiter upon property containing a critical infrastructure  
22 facility without permission by the owner of the property or lawful  
23 occupant thereof shall, upon conviction, be guilty of a misdemeanor  
24 punishable by a fine of not ~~less~~ more than One Thousand Dollars  
(\$1,000.00), or by imprisonment in the county jail for a term of six

1 (6) months, or by both such fine and imprisonment. If it is  
2 determined the intent of the trespasser is to willfully damage,  
3 destroy, vandalize, deface, tamper with equipment, or impede or  
4 inhibit operations of the facility, the person shall, upon  
5 conviction, be guilty of a felony punishable by a fine of not ~~less~~  
6 more than Ten Thousand Dollars (\$10,000.00), or by imprisonment in  
7 the custody of the Department of Corrections for a term of one (1)  
8 year, or by both such fine and imprisonment. As used in this  
9 subsection, "loiter" means standing or waiting around idly or  
10 without apparent or rational purpose.

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

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

23 D. As used in this section, "critical infrastructure facility"  
24 means:

1           1. One of the following, if completely enclosed by a fence or  
2 other physical barrier that is obviously designed to exclude  
3 intruders, or if clearly marked with a sign or signs that are posted  
4 on the property that are reasonably likely to come to the attention  
5 of intruders and indicate that entry is forbidden without site  
6 authorization:

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

- 1 j. a gas processing plant, including a plant used in the  
2 processing, treatment or fractionation of natural gas  
3 or natural gas liquids,
- 4 k. a transmission facility used by a federally licensed  
5 radio or television station,
- 6 l. a steelmaking facility that uses an electric arc  
7 furnace to make steel,
- 8 m. a facility identified and regulated by the United  
9 States Department of Homeland Security Chemical  
10 Facility Anti-Terrorism Standards (CFATS) program,
- 11 n. a dam that is regulated by the state or federal  
12 government,
- 13 o. a natural gas distribution utility facility including,  
14 but not limited to, pipeline interconnections, a city  
15 gate or town border station, metering station,  
16 aboveground piping, a regulator station and a natural  
17 gas storage facility, or
- 18 p. a crude oil or refined products storage and  
19 distribution facility including, but not limited to,  
20 valve sites, pipeline interconnections, pump station,  
21 metering station, below or aboveground pipeline or  
22 piping and truck loading or offloading facility; ~~or~~

23 2. Any aboveground portion of an oil, gas, hazardous liquid or  
24 chemical pipeline, tank, railroad facility or other storage facility

1 that is enclosed by a fence, other physical barrier or is clearly  
2 marked with signs prohibiting trespassing, that are obviously  
3 designed to exclude intruders;

4 3. Any prison facility; or

5 4. Any county-owned property including, but not limited to,  
6 courthouses and detention centers.

7 SECTION 2. This act shall become effective November 1, 2024.

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9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated  
10 02/22/2024 - DO PASS, As Amended and Coauthored.

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