

ORIGINAL SENATE
FILE NO. SF0031

ENROLLED ACT NO. 28, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2023 GENERAL SESSION

AN ACT relating to crimes and offenses; repealing a civil cause of action for and the crime of trespass to access adjacent or proximate land for resource data collection purposes; making conforming amendments; and providing for an effective date.

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

Section 1. W.S. 6-3-414(d)(intro) and 40-27-101(d) are amended to read:

6-3-414. Trespassing to unlawfully collect resource data; unlawful collection of resource data.

(d) Crimes committed under subsection (a) ~~or~~ or (b) ~~or~~ (c) of this section are punishable as follows:

40-27-101. Trespass to unlawfully collect resource data; unlawful collection of resource data.

(d) A person who trespasses to unlawfully collect resource data ~~or~~ or a person who unlawfully collects resource data ~~or a person who trespasses to access adjacent or proximate land~~ under this section shall be liable in a civil action by the owner or lessee of the land for all consequential and economic damages proximately caused by the trespass. In a civil action brought under this section, in addition to damages, a successful claimant shall be awarded litigation costs. For purposes of this subsection, "litigation costs" shall include, but ~~is~~ are not limited to, court costs, expert witness fees, other witness fees, costs associated with depositions and discovery, reasonable attorney fees and the reasonably necessary costs of identifying the trespasser, of obtaining

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effective service of process on the trespasser and of successfully effecting the collection of any judgment against the trespasser.

Section 2. W.S. 6-3-414(c) and 40-27-101(c) are repealed.

Section 3. This act is effective July 1, 2023.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk