

FIRST REGULAR SESSION

SENATE BILL NO. 293

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOUGH.

Read 1st time January 24, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1657S.01I

AN ACT

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

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; 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 treatment facility, wastewater treatment plant, 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 States Department of Homeland Security Chemical Facility Anti-Terrorism Standards (CFATS) program; a dam that is regulated by the state or federal government; a natural gas distribution utility facility

22 including, but not limited to, pipeline interconnections, a city gate or
23 town border station, metering station, aboveground piping, a regulator
24 station, and a natural gas storage facility; a crude oil or refined
25 products storage and distribution facility including, but not limited to,
26 valve sites, pipeline interconnection, pump station, metering station,
27 below or aboveground pipeline or piping and truck loading or
28 offloading facility; or any aboveground portion of an oil, gas, hazardous
29 liquid or chemical pipeline, tank, railroad facility, or other storage
30 facility that is enclosed by a fence, other physical barrier, or is clearly
31 marked with signs prohibiting trespassing, that are obviously designed
32 to exclude intruders.

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

42 3. A person commits the offense of willful damage of a critical
43 infrastructure if he or she willfully damages, destroys, vandalizes,
44 defaces, or tampers with equipment in a critical infrastructure
45 facility. The offense of willful damage of a critical infrastructure
46 facility is a class C felony.

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

Section B. Because of the importance of protecting critical infrastructure
2 in the state, section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace and safety, and is hereby
4 declared to be an emergency act within the meaning of the constitution, and
5 section A of this act shall be in full force and effect upon its passage and
6 approval.