



- 1 (viii) wireless telecommunications infrastructure;
- 2 (ix) a port, railroad switching yard, railroad tracks, trucking terminal, or other freight transportation  
3 facility;
- 4 (x) a gas processing plant, including a plant used in the processing, treatment, or fractionation of  
5 natural gas or natural gas liquids;
- 6 (xi) a transmission facility used by a federally licensed radio or television station;
- 7 (xii) a steelmaking facility that uses an electric arc furnace to make steel;
- 8 (xiii) a facility identified and regulated by the United States department of homeland security  
9 chemical facility anti-terrorism standards program;
- 10 (xiv) a dam that is regulated by the state, the federal government, or a tribal government;
- 11 (xv) a natural gas distribution utility facility, including but not limited to pipeline interconnections, a  
12 city gate or town border station, a metering station, aboveground piping, a regular station, and a natural gas  
13 storage facility;
- 14 (xvi) aboveground oil, gas, hazardous liquid, and chemical pipelines;
- 15 (xvii) aboveground portions of an oil or natural gas well and associated production facilities;
- 16 (xviii) aboveground portions of a mineral or metal mining facility;
- 17 (xix) correctional facilities;
- 18 (xx) cable television, broadband, and wired and wireless communications infrastructure, including  
19 headends, poles, cable television and broadband lines, coaxial and fiber optic lines, and other equipment  
20 attached to cable television lines, broadband, and wired and wireless communications infrastructure;
- 21 (xxi) military installations, including but not limited to training areas and armories; and
- 22 (xxii) a crude oil, inclusive of Y-grade or natural gas liquids, or a refined products storage and  
23 distribution facility, including but not limited to a value site, pipeline interconnection, pump station, metering  
24 station, below or aboveground pipeline or piping, and truck loading or offloading facility;
- 25 (b) a facility for the construction of a location listed in subsection (2)(a); or
- 26 (c) a below or aboveground portion of an oil, gas, hazardous liquid, or chemical transmission or  
27 distribution pipeline, tank, railroad facility, or other facility that is completely enclosed by a fence or other  
28 physical barrier that is obviously designed to exclude intruders, or if clearly marked with a sign or signs that are

1 posted on the property that indicate that entry is forbidden without site authorization.

2 (3) "Organization" means a group of people, structured in a specific way to achieve a series of  
3 shared goals."

4

5 **Section 2.** Section 82-1-602, MCA, is amended to read:

6 **"82-1-602. Criminal penalties.** (1) Except as provided in 82-1-604, a person who willfully and  
7 knowingly trespasses on property containing a critical infrastructure facility:

8 (a) that is completely enclosed by a fence or other physical barrier that is obviously designed to  
9 exclude intruders with intent to willfully damage, destroy, vandalize, deface, tamper with equipment, or  
10 materially impede or inhibit operations of the facility shall, on conviction, be guilty of a felony punishable by a  
11 fine of not more than \$4,500 or by imprisonment for not more than 18 months or both; and

12 (b) that is clearly marked with a sign or signs that are posted on the property that indicate that  
13 entry is forbidden without site authorization with intent to willfully damage, destroy, vandalize, deface, tamper  
14 with equipment, or materially impede or inhibit operations of the facility shall, on conviction, be guilty of a felony  
15 punishable by a fine of not more than \$4,500 or by imprisonment for not more than 18 months or both.

16 (2) A person who willfully damages, destroys, vandalizes, defaces, or tampers with the equipment  
17 ~~in~~ of a critical infrastructure facility:

18 (a) causing less than \$1,500 in damages shall, on conviction, be guilty of a misdemeanor and may  
19 be incarcerated for any term not to exceed 6 months or be fined an amount not to exceed \$500, or both, and  
20 must be ordered to make restitution in an amount and manner to be set by the court; and

21 (b) causing damages greater than \$1,500 shall, on conviction, be guilty of a felony punishable by a  
22 fine of not more than \$150,000 or by imprisonment for not more than 30 years, or both.

23 (3) An organization found to be in a conspiracy, as the term is used in 45-4-102, with persons who  
24 are found to have committed any of the crimes provided in subsection (1) or (2) may be punished by a fine up  
25 to 10 times the amount of the fine provided for the appropriate crime."

26 - END -