

**Senator David P. Hinkins** proposes the following substitute bill:

**AGRICULTURAL OPERATION INTERFERENCE**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: John G. Mathis**

Senate Sponsor: David P. Hinkins

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**LONG TITLE**

**General Description:**

This bill establishes the crime of agricultural operation interference.

**Highlighted Provisions:**

This bill:

- ▶ defines "agricultural operation";
- ▶ provides that a person is guilty of agricultural operation interference if the person:
  - records an image of, or sound from, an agricultural operation under certain circumstances;
  - obtains access to an agricultural operation under false pretenses; or
  - obtains employment at an agricultural operation under certain circumstances

with the intent to record an image of, or sound from, the agricultural operation;

and

- ▶ establishes penalties.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



26 ENACTS:

27 **76-6-112**, Utah Code Annotated 1953



29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **76-6-112** is enacted to read:

31 **76-6-112. Agricultural operation interference -- Penalties.**

32 (1) As used in this section, "agricultural operation" means ~~§~~→private←~~§~~ property used for  
32a the  
33 production of livestock, poultry, livestock products, or poultry products.

34 (2) A person is guilty of agricultural operation interference if the person:

35 (a) without consent from the owner of the agricultural operation, or the owner's agent,  
36 knowingly or intentionally records an image of, or sound from, the agricultural operation by  
37 leaving a recording device on the agricultural operation;

38 (b) obtains access to an agricultural operation under false pretenses;

39 (c) (i) applies for employment at an agricultural operation with the intent to record an  
40 image of, or sound from, the agricultural operation;

41 (ii) knows, at the time that the person accepts employment at the agricultural operation,  
42 that the owner of the agricultural operation prohibits the employee from recording an image of,  
43 or sound from, the agricultural operation; and

44 (iii) while employed at, and while present on, the agricultural operation, records an  
45 image of, or sound from, the agricultural operation; or

46 (d) without consent from the owner of the operation or the owner's agent, knowingly or  
47 intentionally records an image of, or sound from, an agricultural operation while the person is  
48 committing criminal trespass, as described in Section 76-6-206, on the agricultural operation.

49 (3) A person who commits agricultural operation interference described in Subsection  
50 (2)(a) is guilty of a class A misdemeanor.

51 (4) A person who commits agricultural operation interference described in Subsection  
52 (2)(b), (c), or (d) is guilty of a class B misdemeanor.