

## HB0187S02 compared with HB0187

~~{deleted text}~~ shows text that was in HB0187 but was deleted in HB0187S02.

inserted text shows text that was not in HB0187 but was inserted into HB0187S02.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative John G. Mathis proposes the following substitute bill:

### AGRICULTURAL OPERATION INTERFERENCE

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: John G. Mathis**

Senate Sponsor: \_\_\_\_\_

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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 ~~{~~ without the consent of the owner of the operation, ~~}~~ records an image of, or sound from, an agricultural operation ~~{while on the property where the agricultural operation is located}~~ under certain circumstances; and
- ▶ establishes penalties.

##### Money Appropriated in this Bill:

None

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### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

76-6-112, Utah Code Annotated 1953

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

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

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

(1) As used in this section, "agricultural operation" means property used for the ~~commercial~~ production of ~~crops, orchards, aquaculture,~~ livestock, poultry, livestock products, or poultry products ~~and the facilities, equipment, or property used to facilitate the commercial production~~.

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

(a) without consent from the owner of the agricultural operation, or the owner's agent, knowingly or intentionally records an image of, or sound from, the operation

~~(a) while the person is on the property where the agricultural operation is located; or~~

~~(b) by leaving a recording device on the property where agricultural operation;~~

(b) knowingly or intentionally records an image of, or sound from, an agricultural operation while the person is lawfully present on the agricultural operation, after receiving notice from the owner of the agricultural operation ~~is located~~ or the owner's agent that the person is prohibited from recording an image of, or sound from, the agricultural operation; or

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

(3) A person who commits agricultural operation interference described in Subsection (2)(a) is guilty of ~~is~~:

~~(a) for a first offense, a class A misdemeanor; or~~

~~(b) for a subsequent offense, a felony of the third degree.~~

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### Legislative Review Note

as of 2-8-12 6:08 AM

~~Office of Legislative Research and General Counsel~~4) A person who commits agricultural operation interference described in Subsection (2)(b) or (c) is guilty of a class B misdemeanor.