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

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:
ENACTS:

    76-6-112, Utah Code Annotated 1953

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 private property used for the production of livestock, poultry, livestock products, or poultry products.

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

    (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 agricultural operation by leaving a recording device on the agricultural operation;

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

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

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

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

    (d) 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 a class A misdemeanor.

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