

**SB54 ENGROSSED**



1 SB54  
2 4DBQ3RR-2  
3 By Senators Roberts, Singleton, Smitherman, Chambliss, Jones  
4 RFD: Fiscal Responsibility and Economic Development  
5 First Read: 04-Feb-25



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to crimes and offenses; to amend Section 13A-7-4.3, Code of Alabama 1975, as last amended by Act 2024-395, 2024 Regular Session, and Sections 13A-7-25 and 13A-7-26, Code of Alabama 1975, to further provide for the definition of "critical infrastructure facility;" to further provide for the crime of unauthorized entry of a critical infrastructure facility; and to further provide for the crimes of criminal tampering in the first and second degrees.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-7-4.3, Code of Alabama 1975, as last amended by Act 2024-395, 2024 Regular Session, and Sections 13A-7-25 and 13A-7-26, Code of Alabama 1975, are amended to read as follows:

"§13A-7-4.3

(a) For the purposes of this section, the following ~~words~~ terms have the following meanings:

(1) CRITICAL INFRASTRUCTURE. A system or asset, whether physical or virtual, so vital to the United States that the incapacity or destruction of the system or asset would have a debilitating impact on security, national economic security,



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29 national public health, or national public safety.

30 (2) CRITICAL INFRASTRUCTURE FACILITY. The term  
31 includes, but is not limited to, any of the following,  
32 including any critical infrastructure located on or in any of  
33 the following types of facilities:

- 34 a. A chemical, polymer, or rubber manufacturing  
35 facility.
- 36 b. A pipeline.
- 37 c. A refinery.
- 38 d. An electrical power generating facility.
- 39 e. The area surrounding an electrical power generating  
40 facility.
- 41 f. An electrical transmission tower.
- 42 g. An electrical substation or distribution substation.
- 43 h. An electric utility control center.
- 44 i. Electrical communication equipment.
- 45 j. An electrical switching station.
- 46 k. Electric power lines, power storage equipment, or  
47 other utility equipment.
- 48 l. Any portion of a public water system or public  
49 wastewater treatment system.
- 50 m. A natural gas transmission compressor station.
- 51 n. A liquefied natural gas (LNG) terminal or storage  
52 facility.
- 53 o. A natural gas distribution facility, including, but  
54 not limited to, a pipeline interconnection, a city gate or  
55 town border station, a metering station, aboveground piping, a  
56 regular station, or a natural gas or hydrocarbon storage or



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57 production facility.

58 p. A mining operation.

59 q. Beneficiation infrastructure or mining  
60 infrastructure.

61 r. A transportation facility such as a port, airport,  
62 railroad operating facility, or trucking terminal.

63 s. ~~Wireline or wireless communications~~  
64 infrastructure Communications service infrastructure or  
65 facilities, as defined under Section 37-17-1.

66 t. A gas processing plant, including a plant used in  
67 the processing, treatment, or fractionation of natural gas or  
68 natural gas liquids.

69 u. A steelmaking facility that uses an electric arc  
70 furnace.

71 v. A dam that is regulated by the state or federal  
72 government.

73 w. A crude oil or refined products storage or  
74 distribution facility, including, but not limited to, a valve  
75 site, a pipeline interconnection, a pump station, a metering  
76 station, below ground piping, above ground piping, or a truck  
77 loading or offloading facility.

78 x. A defense contractor facility.

79 y. A pulp and paper manufacturing facility.

80 (3) FRAUDULENT DOCUMENTS FOR IDENTIFICATION PURPOSES. A  
81 document that is presented as being a bona fide document that  
82 provides personal identification information but which, in  
83 fact, is false, forged, altered, or counterfeit.

84 (4) PERSON. An individual, trust, estate, corporation,



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85 partnership, limited partnership, limited liability  
86 partnership, limited liability company, or unincorporated  
87 nonprofit association having a separate legal existence under  
88 state law.

89 (5) UNMANNED AIRCRAFT SYSTEM. A powered, aerial vehicle  
90 that does not carry a human operator, uses aerodynamic forces  
91 to provide vehicle lift, may fly autonomously through an  
92 onboard computer or be piloted remotely, and may be expendable  
93 or recoverable. The term does not include a satellite orbiting  
94 the Earth or a spacecraft beyond Earth's atmosphere and may  
95 not be construed to implicate the provider of a  
96 telecommunications link between an owner or operator of an  
97 unmanned aircraft system and the unmanned aircraft system.

98 (b) A person commits the crime of unauthorized entry of  
99 a critical infrastructure facility if the person does any of  
100 the following:

101 (1) Intentionally enters without authority into any  
102 structure or onto any premises belonging to another that  
103 constitutes in whole or in part a critical infrastructure  
104 facility that is completely enclosed by any type of physical  
105 barrier or clearly marked with a sign or signs that are posted  
106 in a conspicuous manner and indicate that unauthorized entry  
107 is forbidden.

108 (2) Uses or attempts to use a fraudulent document for  
109 identification for the purpose of entering a critical  
110 infrastructure facility.

111 (3) Remains on the premises of a critical  
112 infrastructure facility after having been forbidden to do so,



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113 either orally or in writing, by any owner, lessee, or  
114 custodian of the property or by any other authorized person.

115 (4) Intentionally enters into a restricted area of a  
116 critical infrastructure facility ~~which~~that is marked as a  
117 restricted or limited access area, or that is completely  
118 enclosed by any type of physical barrier, when the person is  
119 not authorized to enter the restricted or limited access area.

120 (c) A person who commits the crime of unauthorized  
121 entry of a critical infrastructure facility is guilty of a  
122 Class A misdemeanor.

123 (d) ~~If, during the commission of the crime of~~  
124 ~~unauthorized entry of a critical infrastructure facility, the~~  
125 a person intentionally, recklessly, or with criminal  
126 negligence injures, removes, destroys, or breaks critical  
127 infrastructure property, or otherwise interrupts or interferes  
128 with the operations of a critical infrastructure asset, the  
129 person is guilty of a Class C felony.

130 (e) A person who commits the crime of unauthorized  
131 entry of a critical infrastructure facility while possessing  
132 or operating an unmanned aircraft system with an attached  
133 weapon, firearm, explosive, destructive device, or ammunition  
134 is guilty of a Class C felony.

135 (f) Nothing in this section shall be construed to  
136 prevent lawful assembly and peaceful and orderly petition for  
137 the redress of grievances, including, but not limited to, any  
138 labor dispute between any employer and its employee.

139 (g) Nothing in this section shall be construed to  
140 prohibit the state, a county, or a municipality from taking



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141 any lawful action on their respective rights-of-way.

142 (h) Nothing in subsection (b) or (d) shall apply to any  
143 act committed by a person within the scope of his or her  
144 employment. For purposes of this subsection, the scope of a  
145 person's employment shall include the performance of actions  
146 that are necessary for the performance of a lawful work  
147 assignment."

148 "§13A-7-25

149 (a) A person commits the crime of criminal tampering in  
150 the first degree if the person does any of the following:

151 (1) Having no right to do so or any reasonable ground  
152 to believe that he or she has such a right, intentionally or  
153 recklessly causes substantial interruption or impairment of a  
154 service rendered to the public by a utility.

155 (2) Threatens an individual with a deadly weapon or  
156 dangerous instrument with the intent to obstruct the operation  
157 of a utility. This subdivision only applies if the individual  
158 is working under the procedures and within the scope of his or  
159 her duties as an employee of the utility and has properly  
160 identified himself or herself when asked by stating his or her  
161 name, employer, and purpose of work.

162 (b) Criminal tampering in the first degree is a Class C  
163 felony.

164 (c) Nothing in this section shall be construed to  
165 prohibit the state, a county, or a municipality from taking  
166 any lawful action on its respective rights-of-way."

167 "§13A-7-26

168 (a) A person commits the crime of criminal tampering in



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169 the second degree if, having no right to do so or any  
170 reasonable ground to believe that he or she has such a right,  
171 hethe person:

172 (1) Intentionally or recklessly tampers with property  
173 of another for the purpose of causing substantial  
174 inconvenience to that person or to another; or

175 (2) Intentionally or recklessly tampers or makes  
176 connection with property of a utility.

177 (b) Criminal tampering in the second degree is a Class  
178 B misdemeanor.

179 (c) Nothing in this section shall be construed to  
180 prohibit the state, a county, or a municipality from taking  
181 any lawful action on its respective rights-of-way."

182 Section 2. This act shall become effective on October  
183 1, 2025.





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186 Senate

187 Read for the first time and referred .....04-Feb-25  
188 to the Senate committee on Fiscal  
189 Responsibility and Economic  
190 Development  
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192 Read for the second time and placed .....12-Feb-25  
193 on the calendar:  
194 1 amendment  
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196 Read for the third time and passed .....20-Feb-25  
197 as amended  
198 Yeas 31  
199 Nays 0  
200 Abstains 0

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Patrick Harris,  
Secretary.