

**SB54 ENROLLED**



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



## SB54 Enrolled

1 Enrolled, An Act,

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4 Relating to crimes and offenses; to amend Section  
5 13A-7-4.3, Code of Alabama 1975, as last amended by Act  
6 2024-395, 2024 Regular Session, and Sections 13A-7-25 and  
7 13A-7-26, Code of Alabama 1975, to further provide for the  
8 definition of "critical infrastructure facility;" to further  
9 provide for the crime of unauthorized entry of a critical  
10 infrastructure facility; and to further provide for the crimes  
11 of criminal tampering in the first and second degrees.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

17 "§13A-7-4.3

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

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

25 (2) CRITICAL INFRASTRUCTURE FACILITY. The term  
26 includes, but is not limited to, any of the following,  
27 including any critical infrastructure located on or in any of  
28 the following types of facilities:



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



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57 railroad operating facility, or trucking terminal.

58 s. ~~Wireline or wireless communications~~  
59 infrastructure Communications service infrastructure or  
60 facilities, as defined under Section 37-17-1.

61 t. A gas processing plant, including a plant used in  
62 the processing, treatment, or fractionation of natural gas or  
63 natural gas liquids.

64 u. A steelmaking facility that uses an electric arc  
65 furnace.

66 v. A dam that is regulated by the state or federal  
67 government.

68 w. A crude oil or refined products storage or  
69 distribution facility, including, but not limited to, a valve  
70 site, a pipeline interconnection, a pump station, a metering  
71 station, below ground piping, above ground piping, or a truck  
72 loading or offloading facility.

73 x. A defense contractor facility.

74 y. A pulp and paper manufacturing facility.

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

79 (4) PERSON. An individual, trust, estate, corporation,  
80 partnership, limited partnership, limited liability  
81 partnership, limited liability company, or unincorporated  
82 nonprofit association having a separate legal existence under  
83 state law.

84 (5) UNMANNED AIRCRAFT SYSTEM. A powered, aerial vehicle



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85 that does not carry a human operator, uses aerodynamic forces  
86 to provide vehicle lift, may fly autonomously through an  
87 onboard computer or be piloted remotely, and may be expendable  
88 or recoverable. The term does not include a satellite orbiting  
89 the Earth or a spacecraft beyond Earth's atmosphere and may  
90 not be construed to implicate the provider of a  
91 telecommunications link between an owner or operator of an  
92 unmanned aircraft system and the unmanned aircraft system.

93 (b) A person commits the crime of unauthorized entry of  
94 a critical infrastructure facility if the person does any of  
95 the following:

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

103 (2) Uses or attempts to use a fraudulent document for  
104 identification for the purpose of entering a critical  
105 infrastructure facility.

106 (3) Remains on the premises of a critical  
107 infrastructure facility after having been forbidden to do so,  
108 either orally or in writing, by any owner, lessee, or  
109 custodian of the property or by any other authorized person.

110 (4) Intentionally enters into a restricted area of a  
111 critical infrastructure facility ~~which~~that is marked as a  
112 restricted or limited access area, or that is completely



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113 enclosed by any type of physical barrier, when the person is  
114 not authorized to enter the restricted or limited access area.

115 (c) A person who commits the crime of unauthorized  
116 entry of a critical infrastructure facility is guilty of a  
117 Class A misdemeanor.

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

125 (e) A person who commits the crime of unauthorized  
126 entry of a critical infrastructure facility while possessing  
127 or operating an unmanned aircraft system with an attached  
128 weapon, firearm, explosive, destructive device, or ammunition  
129 is guilty of a Class C felony.

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

134 (g) Nothing in this section shall be construed to  
135 prohibit the state, a county, or a municipality from taking  
136 any lawful action on their respective rights-of-way.

137 (h) Nothing in subsection (b) or (d) shall apply to any  
138 act committed by a person within the scope of his or her  
139 employment. For purposes of this subsection, the scope of a  
140 person's employment shall include the performance of actions



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141 that are necessary for the performance of a lawful work  
142 assignment."

143 "§13A-7-25

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

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

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

157 (b) Criminal tampering in the first degree is a Class C  
158 felony.

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

162 "§13A-7-26

163 (a) A person commits the crime of criminal tampering in  
164 the second degree if, having no right to do so or any  
165 reasonable ground to believe that he or she has such a right,  
166 ~~he~~ the person:

167 (1) Intentionally or recklessly tampers with property  
168 of another for the purpose of causing substantial



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169 inconvenience to that person or to another; or

170 (2) Intentionally or recklessly tampers or makes  
171 connection with property of a utility.

172 (b) Criminal tampering in the second degree is a Class  
173 B misdemeanor.

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

177 Section 2. This act shall become effective on October  
178 1, 2025.





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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

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Senate 20-Feb-25

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,  
Secretary.

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House of Representatives

Passed: 19-Mar-25

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By: Senator Roberts