

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1474

By: Representative Gazaway

By: Senator Irvin

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS CRIMINAL CODE; TO ADD AN UNDERGROUND STORAGE FACILITY TO THE DEFINITION OF CRITICAL INFRASTRUCTURE; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ARKANSAS CRIMINAL CODE; AND TO ADD AN UNDERGROUND STORAGE FACILITY TO THE DEFINITION OF CRITICAL INFRASTRUCTURE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-38-101(2), concerning the definition of "critical infrastructure", is amended to read as follows:

(2) "Critical infrastructure" means any of the following facilities that are either completely enclosed by a fence or other physical barrier that is designed to exclude persons without permission to be in the facility or otherwise is clearly marked with signs that are reasonably likely to be seen by another person that indicate entry or unauthorized access is forbidden without facility authorization:

- (A) A chemical or rubber manufacturing facility;
- (B) A water intake structure, water treatment facility, wastewater facility, drainage facility, water management facility, or any similar water or sewage treatment system and the water or sewage treatment system's piping;
- (C) A food processing or manufacturing facility;



(D) A natural gas company facility, an underground gas storage facility, or interstate natural gas pipeline, including without limitation:

- (i) A pipeline interconnection;
- (ii) A natural gas compressor station and associated facility;
- (iii) A city gate or town border station;
- (iv) A metering station;
- (v) Aboveground piping;
- (vi) A regulator station;
- (vii) A valve site;
- (viii) A delivery station; and
- (ix) Fabricated assembly and any part of a natural gas storage facility involved in the gathering, storage, transmission, or distribution of gas;

(E) Wireline or wireless telecommunications infrastructure, including telecommunications towers, telephone poles, telephone lines, and fiber optic lines;

(F) A port, trucking terminal, or other freight transportation facility;

(G) A gas processing plant, including a gas processing plant used in the processing, treatment, or fractionation of natural gas or natural gas liquids;

(H) A crude oil or refined products storage and distribution facility, including without limitation:

- (i) A valve site;
- (ii) A pipeline interconnection;
- (iii) A pump station;
- (iv) A metering station;
- (v) A belowground or aboveground pipeline or piping;
- (vi) A truck loading or off-loading facility; and
- (vii) An aboveground portion of a well, well pad, or production operation;

(I) A laydown area or construction site for pipe and other equipment intended for use on an interstate or intrastate natural gas or crude oil pipeline;

(J) A portion of an oil, gas, hazardous liquid, or chemical pipeline, tank, or other storage facility that is aboveground;

(K) A video service network and broadband infrastructure, including without limitation:

(i) Associated buildings and facilities;

(ii) Video service headends, towers, utility poles, and utility lines; and

(iii) Fiber optic lines;

(L) A mining operation, including any processing equipment, batching operation, or support facility for that mining operation;

(M) A facility installed in a public right-of-way on a utility pole or in a conduit that is aboveground and concerns a video service network or broadband or wireless telecommunications infrastructure;

(N) Railroad property; and

(O) Property owned by and considered an electronic asset of any of the following:

(i) An electric utility;

(ii) An electric cooperative;

(iii) A municipal electric utility;

(iv) A natural gas company that is a public utility;

(v) A telephone company that is a public utility; or

(vi) A video service provider, including a cable

operator;

APPROVED: 3/30/23