

§ 6-3-414. Trespassing to unlawfully collect resource data;..., WY ST § 6-3-414

West's Wyoming Statutes Annotated
Title 6. Crimes and Offenses
Chapter 3. Offenses Against Property
Article 4. Larceny and Related Offenses (Refs & Annos)

W.S.1977 § 6-3-414

§ 6-3-414. Trespassing to unlawfully collect resource data; unlawful collection of resource data

Currentness

- (a) A person is guilty of trespassing to unlawfully collect resource data from private land if he:
- (i) Enters onto private land for the purpose of collecting resource data; and
 - (ii) Does not have:
 - (A) An ownership interest in the real property or, statutory, contractual or other legal authorization to enter the private land to collect the specified resource data; or
 - (B) Written or verbal permission of the owner, lessee or agent of the owner to enter the private land to collect the specified resource data.
- (b) A person is guilty of unlawfully collecting resource data if he enters onto private land and collects resource data from private land without:
- (i) An ownership interest in the real property or, statutory, contractual or other legal authorization to enter the private land to collect the specified resource data; or
 - (ii) Written or verbal permission of the owner, lessee or agent of the owner to enter the private land to collect the specified resource data.
- (c) A person is guilty of trespassing to access adjacent or proximate land if he:
- (i) Crosses private land to access adjacent or proximate land where he collects resource data; and
 - (ii) Does not have:

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(A) An ownership interest in the real property or, statutory, contractual or other legal authorization to cross the private land; or

(B) Written or verbal permission of the owner, lessee or agent of the owner to cross the private land.

(d) Crimes committed under subsection (a), (b) or (c) of this section are punishable as follows:

(i) By imprisonment for not more than one (1) year, a fine of not more than one thousand dollars (\$1,000.00), or both;

(ii) By imprisonment for not less than ten (10) days nor more than one (1) year, a fine of not more than five thousand dollars (\$5,000.00), or both, if the person has previously been convicted of trespassing to unlawfully collect resource data or unlawfully collecting resource data.

(e) As used in this section:

(i) "Collect" means to take a sample of material, acquire, gather, photograph or otherwise preserve information in any form and the recording of a legal description or geographical coordinates of the location of the collection;

(ii) Repealed by Laws 2016, ch. 117, § 2, eff. March 15, 2016.

(iii) "Peace officer" means as defined by W.S. 7-2-101;

(iv) "Resource data" means data relating to land or land use, including but not limited to data regarding agriculture, minerals, geology, history, cultural artifacts, archeology, air, water, soil, conservation, habitat, vegetation or animal species. "Resource data" does not include data:

(A) For surveying to determine property boundaries or the location of survey monuments;

(B) Used by a state or local governmental entity to assess property values;

(C) Collected or intended to be collected by a peace officer while engaged in the lawful performance of his official duties.

(f) No resource data collected on private land in violation of this section is admissible in evidence in any civil, criminal or administrative proceeding, other than a prosecution for violation of this section or a civil action against the violator.

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(g) Resource data collected on private land in violation of this section in the possession of any governmental entity as defined by W.S. 1-39-103(a)(i) shall be expunged by the entity from all files and data bases, and it shall not be considered in determining any agency action.

Credits

Laws 2015, ch. 146, § 1, eff. March 5, 2015; Laws 2016, ch. 117, §§ 1, 2, eff. March 15, 2016.

Notes of Decisions (4)

W. S. 1977 § 6-3-414, WY ST § 6-3-414
Current through the 2016 Budget Session

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