

House Amendment to  
Senate File 2235

S-5198

1 Amend Senate File 2235, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and  
4 inserting:

5 <Section 1. NEW SECTION. 716.11 **Critical infrastructure**  
6 **sabotage — definitions.**

7 Solely for purposes of this section and section 716.12,  
8 unless the context otherwise requires:

9 1. "*Critical infrastructure*" means any of the following:

10 a. An electrical power generating, transmission, or delivery  
11 system.

12 b. A gas, oil, petroleum, refined petroleum product,  
13 renewable fuel, or chemical critical generation, storage  
14 transportation, or delivery system.

15 c. A telecommunications or broadband generation,  
16 transmission, or delivery system.

17 d. A wastewater treatment, collection, or delivery system.

18 e. A water supply treatment, collection, storage, or  
19 delivery system.

20 f. Any land, building, conveyance, or other temporary or  
21 permanent structure whether publicly or privately owned, that  
22 contains, houses, supports, or is appurtenant to any critical  
23 infrastructure as described in paragraphs "a" through "e" of  
24 this subsection.

25 2. "*Critical infrastructure sabotage*" means an unauthorized  
26 and overt act intended to cause and having the means to cause,  
27 and in substantial furtherance of causing, a substantial  
28 and widespread interruption or impairment of a fundamental  
29 service rendered by the critical infrastructure. However,  
30 "*critical infrastructure sabotage*" does not include an  
31 accidental interruption or impairment of service to the  
32 critical infrastructure caused by a person in the performance  
33 of the person's work duties or caused by a person's lawful  
34 activity. In addition, "*critical infrastructure sabotage*" does  
35 not include any condition or activity related to the production

1 of farm products as defined in section 554.9102, including  
2 but not limited to the discharge of agricultural stormwater;  
3 the construction or use of soil or water quality conservation  
4 practices or structures; the preparation of agricultural land  
5 and the raising, harvesting, drying, or storage of agricultural  
6 crops; the application of fertilizer as defined in section  
7 200.3, pesticides as defined in section 206.2, or manure  
8 as defined in section 459.102; the installation and use of  
9 agricultural drainage tile and systems; the construction,  
10 operation, or management of an animal feeding operation as  
11 defined in section 459.102; and the care, feeding, or watering  
12 of livestock.

13 3. *System* means a set of connected or interdependent real,  
14 physical, personal, or electronic or computer-based property  
15 that operates as a whole to provide a service. *System* also  
16 includes any real, physical, electronic, or computer implement  
17 that may control or monitor any component of the system.

18 Sec. 2. NEW SECTION. 716.12 **Critical infrastructure**  
19 **sabotage — penalties.**

20 A person who commits critical infrastructure sabotage is  
21 guilty of a class "B" felony, and in addition to the provisions  
22 of section 902.9, subsection 1, paragraph "b", shall be punished  
23 by a fine of not less than eighty-five thousand dollars nor  
24 more than one hundred thousand dollars.>

25 2. By renumbering as necessary.