

Senate File 2235 - Enrolled

Senate File 2235

AN ACT

RELATING TO CRIMINAL ACTS COMMITTED ON OR AGAINST CRITICAL
INFRASTRUCTURE AND PROVIDING PENALTIES.

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

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

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

1. "*Critical infrastructure*" means any of the following:
 - a. An electrical power generating, transmission, or delivery system.
 - b. A gas, oil, petroleum, refined petroleum product, renewable fuel, or chemical critical generation, storage transportation, or delivery system.
 - c. A telecommunications or broadband generation, transmission, or delivery system.
 - d. A wastewater treatment, collection, or delivery system.
 - e. A water supply treatment, collection, storage, or delivery system.

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

2. "*Critical infrastructure sabotage*" means an unauthorized and overt act intended to cause and having the means to cause, and in substantial furtherance of causing, a substantial and widespread interruption or impairment of a fundamental service rendered by the critical infrastructure. However, "*critical infrastructure sabotage*" does not include an accidental interruption or impairment of service to the critical infrastructure caused by a person in the performance of the person's work duties or caused by a person's lawful activity. In addition, "*critical infrastructure sabotage*" does not include any condition or activity related to the production of farm products as defined in section 554.9102, including but not limited to the discharge of agricultural stormwater; the construction or use of soil or water quality conservation practices or structures; the preparation of agricultural land and the raising, harvesting, drying, or storage of agricultural crops; the application of fertilizer as defined in section 200.3, pesticides as defined in section 206.2, or manure as defined in section 459.102; the installation and use of agricultural drainage tile and systems; the construction, operation, or management of an animal feeding operation as defined in section 459.102; and the care, feeding, or watering of livestock.

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

Sec. 2. NEW SECTION. 716.12 Critical infrastructure sabotage — penalties.

A person who commits critical infrastructure sabotage is guilty of a class "B" felony, and in addition to the provisions of section 902.9, subsection 1, paragraph "b", shall be punished

by a fine of not less than eighty-five thousand dollars nor more than one hundred thousand dollars.

CHARLES SCHNEIDER
President of the Senate

LINDA UPMAYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2235, Eighty-seventh General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2018

KIM REYNOLDS
Governor