

HOUSE No. 3624

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to unauthorized entry of a critical infrastructure..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Massachusetts General Law chapter 266, section 16A, as appearing in the
2 2006 Official Edition, is hereby amended by adding the following new section:-

3 Section 16B. Unauthorized entry of a critical infrastructure

4 A. Unauthorized entry of a critical infrastructure is the intentional entry by a
5 person without authority into any structure or onto any premises, belonging to another, that
6 constitutes in whole or in part a critical infrastructure that is completely enclosed by any type of
7 physical barrier, including but not limited to: (1) chemical manufacturing facilities; (2)
8 refineries; (3) electrical power generating facilities; (4) water intake structures and water
9 treatment facilities; (5) natural gas transmission compressor stations; (6) LNG terminals and
10 storage facilities; and (7) transportation facilities, such as ports, railroad switching yards, and
11 trucking terminals.

12 B. Whoever commits the crime of unauthorized entry of a critical infrastructure
13 shall be fined not more than one thousand dollars or by imprisonment for not more than six
14 years, or both.

15 C. Nothing in this Section shall be construed to prevent lawful assembly and
16 peaceful and orderly petition for the redress of grievances, including but not limited to any labor
17 dispute between any employer and its employee.

18 Section 2. This Act shall become effective upon signature by the governor or, if not
19 signed by the governor, upon expiration of the time for bills to become law without signature by
20 the governor. If vetoed by the governor and subsequently approved by the legislature, this Act
21 shall become effective on the day following such approval.