

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023

# A Bill

HOUSE BILL 1474

4  
5 By: Representative Gazaway  
6 By: Senator Irvin

## For An Act To Be Entitled

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

## Subtitle

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

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

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

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

31 (A) A chemical or rubber manufacturing facility;

32 (B) A water intake structure, water treatment facility,  
33 wastewater facility, drainage facility, water management facility, or any  
34 similar water or sewage treatment system and the water or sewage treatment  
35 system's piping;

36 (C) A food processing or manufacturing facility;



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

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

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

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

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

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

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

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

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

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

5 (i) Associated buildings and facilities;

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

8 (iii) Fiber optic lines;

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

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

14 (N) Railroad property; and

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

17 (i) An electric utility;

18 (ii) An electric cooperative;

19 (iii) A municipal electric utility;

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

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

22 (vi) A video service provider, including a cable  
23 operator;

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