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Hilovsky, K. Johnson, Morris, Osienski, Schwartzkopf,
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Mantzavinos, Pettyjohn, Richardson, Sokola, Walsh,
Wilson

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 91
AS AMENDED BY
HOUSE AMENDMENT NO. 1
AND
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES INVOLVING PROPERTY.

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

Section 1. Amend Subchapter III, Chapter 5, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 811A. Aggravated criminal mischief; knowingly damaging critical utility infrastructure; class D felony.

(a) A person is guilty of aggravated criminal mischief when the person knowingly damages or tampers with critical utility infrastructure with the intent to interrupt or impair utility operations or the delivery, supply, or receipt of utility services.

(b) As used in this section, "critical utility infrastructure" means:

(1) Electric generation, transmission, or distribution facilities; substations; transformers; switching stations; power lines; and related infrastructure (other than a drop line servicing a single family residence).

(2) Natural gas, propane, compressed natural gas (CNG), liquid natural gas (LNG), or renewable natural gas (RNG) processing, transmission, or distribution facilities; pipelines; compressor stations; city gates; metering stations; regulator stations; cleaning, processing, and upgrading facilities; storage facilities or terminals; and related infrastructure.

(3) Drinking water sources; water transmission lines; water treatment plants; water distribution systems; groundwater monitoring wells; wastewater treatment plants; wastewater collection systems; and related infrastructure.

(4) Wireline or wireless telecommunications or internet infrastructure; fiber optic and cable lines and wires (other than a drop line or wire servicing a single family residence); cell towers; antennae; receivers; and related infrastructure.

(5) Any crude oil or refined petroleum product storage and distribution facilities; valve sites; pipelines or pipeline interconnections; pump stations or metering stations; loading or offloading facilities; and related infrastructure.

(c) The provisions of this section shall not apply to an employee or contractor acting in the scope of their employment providing services or maintenance to critical utility infrastructure.

(d) Aggravated criminal mischief is a class D felony.