



Senate Fiscal Agency
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House Bill 5282 (Substitute H-1 as reported without amendment)

Sponsor: Representative Al Pscholka

House Committee: Energy and Technology

Senate Committee: Energy and Technology

CONTENT

The bill would create a new act to authorize an officer providing security at a nuclear generating facility to do the following:

- Use physical force, other than deadly force, to prevent or terminate an individual's trespass at the facility.
- Use physical force, including deadly force, to prevent or terminate an individual from breaking and entering into the business premises of a nuclear generating or storage structure with the intent to commit a crime involving serious physical harm to any individual.
- Use physical force, including deadly force, to deter a threat of radiological sabotage or theft or diversion of special nuclear material.

The bill would take effect 90 days after it was enacted.

Notice of the authorization to use physical force, including deadly physical force, would have to be conspicuously posted at all entrances to the business premises of a nuclear generating or storage building or structure and at intervals along the perimeter in such a manner as to provide reasonable notice to people about to enter.

A security officer, the employer of an officer providing security at a nuclear generating facility, and the owner and the operator of the facility would be immune from civil liability for the conduct of a security officer that was lawful under the proposed act. "Officer providing security at a nuclear generating facility" would mean a security officer employed by or under contract with a nuclear generating facility who is employed as part of any security plan approved by the U.S. Nuclear Regulatory Commission or its successor agency and who is performing his or her duties under that plan.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 3-18-14

Fiscal Analyst: John Maxwell