

HOUSE BILL NO. HB0100

Critical infrastructure resiliency.

Sponsored by: Representative(s) Bear, Allemand, Davis, Neiman, Slagle, Ward and Winter and Senator(s) Ide, Kolb, Laursen, D and Steinmetz

A BILL

for

1 AN ACT relating to public utilities; creating the critical  
2 infrastructure resiliency initiative; specifying purposes  
3 for the initiative; creating the critical resilient  
4 infrastructure board; specifying members, duties and powers  
5 of the board; providing definitions; appropriating funds;  
6 and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 37-19-101 through 37-19-103 are  
11 created to read:

12

13

CHAPTER 19

14

CRITICAL INFRASTRUCTURE RESILIENCY

1

2           **37-19-101. Definitions.**

3

4           (a) As used in this chapter:

5

6                   (i) "Board" means the critical resilient  
7 infrastructure board created by this chapter;

8

9                   (ii) "Critical infrastructure" means any asset,  
10 system or network located in Wyoming, whether physical or  
11 virtual, that is vital to the state's security, economic  
12 security, public health or safety. "Critical  
13 infrastructure" includes but is not limited to water  
14 infrastructure, transportation infrastructure, electrical  
15 energy generation facilities, fuel import facilities,  
16 refineries and telecommunications facilities;

17

18                   (iii) "Cyber" means relating to or involving  
19 computers, computer networks or technology, including the  
20 internet and its relationship to modern computing and  
21 technology;

22

1           (iv) "Electric grid" means the network of  
2 electric generators, transmission lines, distribution lines  
3 and facilities, substations, energy storage devices and  
4 supporting infrastructure located in Wyoming and used to  
5 produce and deliver electricity to end users;

6

7           (v) "Grid-down event" means an extended power  
8 outage that requires living without electricity from the  
9 electric grid for an extended period of time measured in  
10 months or years. "Grid-down event" shall not include a  
11 temporary, short-term power outage;

12

13           (vi) "Operational technologies" means technology  
14 that plays a critical and important role in operational  
15 functionality, including unprotected sensors and  
16 supervisory and data acquisition devices;

17

18           (vii) "Resiliency" means the capacity to prevent  
19 or reduce the severity of damage from natural disasters or  
20 human caused emergencies and to enable faster recovery of  
21 normal infrastructure operations after a natural or human  
22 caused emergency.

23

1           **37-19-102. Critical infrastructure resiliency**  
2 **initiative.**

3

4           (a) The critical infrastructure resiliency initiative  
5 is hereby created. The initiative is created to ensure  
6 that:

7

8           (i) Critical infrastructure components  
9 throughout Wyoming are hardened to survive events that  
10 without hardening would have led to a grid-down event,  
11 including electromagnetic pulse, nuclear, nonnuclear,  
12 physical, weather related, cyber and terrorist attacks on  
13 the state's critical infrastructure;

14

15           (ii) The state of Wyoming develops cyber,  
16 information technology and operational technology solutions  
17 that effectively improve critical infrastructure resiliency  
18 for both the public and private sectors, focusing on  
19 solutions that do not need to be reinvented and can be  
20 adapted to usable techniques for Wyoming's critical  
21 infrastructure;

22

1           (iii) The electric power grid remains at least  
2 minimally functional to protect human life, animal life,  
3 critical life sustaining resources and critical  
4 infrastructure;

5

6           (iv) There is continuity of government,  
7 industry, supply chain and property dependent on the power  
8 grid after a total, partial or catastrophic grid-down event  
9 from natural or human induced causes.

10

11           **37-19-103. Critical resiliency infrastructure board;**  
12 **composition; powers; duties.**

13

14           (a) There is created the critical resiliency  
15 infrastructure board. The board shall consist of the  
16 following nine (9) members:

17

18           (i) The director of the office of homeland  
19 security, who shall serve as chairman of the board;

20

21           (ii) Eight (8) members appointed by the governor  
22 with the advice and consent of the senate, who shall

1 represent or be affiliated with not less than one (1) of  
2 the following organizations or interests:

3

4 (A) The Wyoming national guard;

5

6 (B) The public service commission;

7

8 (C) Public utilities and cooperative  
9 electrical generation and transmission associations;

10

11 (D) The oil and gas industry;

12

13 (E) Coal and other mineral industries;

14

15 (F) Telecommunications;

16

17 (G) Law enforcement;

18

19 (H) Any other critical infrastructure  
20 industry.

21

22 (b) The board shall be staffed by the Wyoming office  
23 of homeland security.

1

2 (c) The purposes of the board are to ensure:

3

4 (i) Compliance with the scope of objectives  
5 outlined by the federal Infrastructure Investment and Jobs  
6 Act of 2021, P.L. No. 117-58, by initiating improvements to  
7 the state's infrastructure, beginning with power, oil and  
8 gas, water and telecommunications;

9

10 (ii) The transfer of technology, lessons and  
11 solutions from the United States department of defense to  
12 mission-critical elements of Wyoming's critical  
13 infrastructure by initiating a cooperative effort between  
14 the civilian engineering community, the state's public and  
15 cooperative utilities and the department of defense;

16

17 (iii) That the critical infrastructure  
18 components associated with water and wastewater treatment  
19 that are completed with the use of the electric grid  
20 continue to function without interruption when any  
21 grid-down event occurs in Wyoming;

22

1           (iv) That the state leverages the decades of the  
2 federal government's deployment of technology, technical  
3 solutions, specifications and standards for developing,  
4 installing and testing electromagnetic survivable hardware,  
5 techniques and practices for critical United States  
6 department of defense facilities;

7

8           (v) That the state leverages federal government  
9 requirements and specifications for testing the technology  
10 described in paragraph (iv) of this subsection to guarantee  
11 the effectiveness of that technology;

12

13           (vi) That the state leverages federal funding  
14 and grants available for broad infrastructure improvement  
15 efforts in Wyoming, including funding available under the  
16 federal Infrastructure Investment and Jobs Act, the federal  
17 emergency management agency's building resiliency  
18 infrastructures and communities program, the United States  
19 department of energy's grid deployment office and grid  
20 resilience and innovation partnership program and any other  
21 federal program that provides funding for critical  
22 infrastructure improvements.

23



1           (d) The board shall:

2

3                   (i) Provide oversight in coordination with  
4 relevant state agencies to ensure that the state's  
5 industries are equipped to provide not less than ninety  
6 percent (90%) of Wyoming's population with resilient power,  
7 oil and gas, water and telecommunications;

8

9                   (ii) Develop a process to allow qualified  
10 contractors to apply the technology, solutions and  
11 specifications specified in paragraph (c)(iv) of this  
12 section for new construction or existing operational  
13 hardware and software in Wyoming's critical infrastructure;

14

15                   (iii) Develop a program for ensuring that public  
16 and cooperative utilities, oil and gas companies, mineral  
17 companies, water companies and telecommunications companies  
18 in Wyoming participate in a cooperative venture with  
19 specialized entities to develop and install essential  
20 upgrades to new or existing critical infrastructure without  
21 resulting in ratepayer increases;

22

1           (iv) Ensure that the state's relevant agencies  
2 and industries comply with any existing energy directives  
3 in Wyoming law when implementing critical infrastructure  
4 resilience initiative plans;

5

6           (v) In consultation with the governor, provide  
7 oversight of the implementation of the federal  
8 Infrastructure Investment and Jobs Act of 2021 with respect  
9 to critical infrastructure;

10

11           (vi) Create a plan to enable fast recovery of  
12 normal grid operations after a grid outage due to any  
13 grid-down event and to maintain critical loads at critical  
14 infrastructure, including but not limited to hospitals,  
15 fire stations, police stations and law enforcement  
16 agencies, airports, military bases and other critical  
17 infrastructure in Wyoming necessary to operate during a  
18 grid-down event;

19

20           (vii) Monitor and implement best practices for  
21 critical infrastructure protection from parallel work being  
22 performed locally or nationally that would apply to and  
23 benefit Wyoming's critical infrastructure, including the

1 capacity and availability of existing resources for  
2 critical infrastructure;

3

4 (viii) Not later than September 30, 2025 and not  
5 later than each September 30 thereafter, report  
6 recommendations to increase electric grid resilience and  
7 enhance critical infrastructure protection to the joint  
8 minerals, business and economic development interim  
9 committee, the joint corporations, elections and political  
10 subdivisions interim committee and the joint  
11 transportation, highways and military affairs interim  
12 committee;

13

14 (ix) Prepare an analysis and annually update the  
15 analysis of Wyoming's electric grid resilience and critical  
16 infrastructure protection and make recommendations for  
17 improvements available to the legislative committees  
18 specified in paragraph (viii) of this subsection not later  
19 than September 30 of each year;

20

21 (x) Ensure that, in consultation with the public  
22 service commission, affected public and cooperative  
23 utilities implement equipment modifications, improvements

1 and upgrades related to emergency, cyber and energy  
2 efficient modifications;

3

4 (xi) Take any action to achieve or implement the  
5 purposes of the critical infrastructure resiliency  
6 initiative specified in W.S. 37-19-102 and the purposes of  
7 the board specified in subsection (b) of this section.

8

9 (e) The members of the board shall serve without  
10 compensation or salary but shall, contingent upon available  
11 funding, be entitled to reimbursement for actual travel  
12 expenses incurred incident to board business. Board members  
13 who are government employees or public officials shall be  
14 considered on official business of their agency when  
15 performing duties as members of the board.

16

17 (f) The board may accept any gifts, contributions,  
18 donations, grants or federal funds specifically designated  
19 for the purposes of this chapter.

20

21 (g) The board may request and shall receive  
22 assistance and data from any department, division, board,  
23 bureau, commission or agency that will enable the board to

1 properly carry out its powers and duties under this  
2 chapter.

3

4       **Section 2.** There is appropriated forty thousand  
5 dollars (\$40,000.00) from the general fund to the office of  
6 the governor for the period beginning with the effective  
7 date of this act and ending June 30, 2026. Funds  
8 appropriated under this section shall only be expended for  
9 purposes of providing reimbursement for travel expenses for  
10 members of the critical resiliency infrastructure board in  
11 accordance with this act. This appropriation shall not be  
12 expended for any other purpose and any unexpended,  
13 unobligated funds remaining from this appropriation shall  
14 revert as provided by law on June 30, 2026.

15

16       **Section 3.** This act is effective immediately upon  
17 completion of all acts necessary for a bill to become law  
18 as provided by Article 4, Section 8 of the Wyoming  
19 Constitution.

20

21

(END)