



HOUSE BILL 44

RIGHT OF ASSEMBLY

House Bill 44 is modeled after a surge of similar legislation across the country, which attacks the right of peaceful assembly as it pertains to gas and oil pipelines. It aims to create new criminal and civil penalties for conduct, including peaceful protest, around gas and oil pipelines and other infrastructure facilities.

The bill changes the definition of "key infrastructure assets" to include natural gas or petroleum pipelines. It's worth noting that the existing definition of "key infrastructure assets" under Kentucky law does not limit those assets to areas that are fenced off or posted by "no entry" signs. HB 44's expanded definition and the vagueness of how it is phrased will likely create uncertainty and fear, and could potentially cause peaceful protesters near a pipeline to be charged with trespass.



Kentuckians have the right of peaceful assembly under the First Amendment, and this bill fundamentally threatens and discourages our ability to exercise that right.

HOUSE BILL 44 - VOTE NO

HB 44 also makes tampering with, impeding, or inhibiting operations of a key infrastructure asset a class D felony—which under Kentucky law can be punished by up to 5 years in prison.

The bill language relating to this is overbroad and vague. And the bill opens the door for an organization that employs someone protesting on, or near, a pipeline to be held civilly liable if the employee is convicted. Advocates for the First Amendment have every reason to think that the bill's vague language and strong penalties could deter activists from protesting lawfully at all, for fear of severe civil and criminal penalties.

This bill passed the House Natural Resources Committee, with the assurances from the bill sponsor that amendments will be made to improve it. But it's important to simply oppose HB 44 altogether.

Vote NO on HB 44!

