

SENATE BILL 545

E1

5lr2229

By: **Senators Lee, Feldman, Guzzone, Manno, and Montgomery**

Introduced and read first time: February 6, 2015

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Unauthorized Computer Access for Sabotage – Water**

3 FOR the purpose of prohibiting a person from intentionally and willfully taking certain
4 actions relating to unauthorized access to computer services with the intent to
5 interrupt or impair the functioning of a service, device, or system related to the
6 production, transmission, delivery, or storage of water in the State that is owned,
7 operated, or controlled by a person other than a certain public service company;
8 providing penalties for a violation of this Act; and generally related to unauthorized
9 computer access.

10 BY repealing and reenacting, with amendments,
11 Article – Criminal Law
12 Section 7–302(c)
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2014 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Criminal Law
17 Section 7–302(d)
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2014 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Criminal Law**

23 7–302.

24 (c) (1) A person may not intentionally, willfully, and without authorization:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) access, attempt to access, cause to be accessed, or exceed the
2 person's authorized access to all or part of a computer network, computer control language,
3 computer, computer software, computer system, computer service, or computer database;
4 or

5 (ii) copy, attempt to copy, possess, or attempt to possess the contents
6 of all or part of a computer database accessed in violation of item (i) of this paragraph.

7 (2) A person may not commit an act prohibited by paragraph (1) of this
8 subsection with the intent to:

9 (i) cause the malfunction or interrupt the operation of all or any part
10 of a computer, computer network, computer control language, computer software, computer
11 system, computer service, or computer data; or

12 (ii) alter, damage, or destroy all or any part of data or a computer
13 program stored, maintained, or produced by a computer, computer network, computer
14 software, computer system, computer service, or computer database.

15 (3) A person may not intentionally, willfully, and without authorization:

16 (i) possess, identify, or attempt to identify a valid access code; or

17 (ii) publicize or distribute a valid access code to an unauthorized
18 person.

19 (4) A person may not commit an act prohibited under this subsection with
20 the intent to interrupt or impair the functioning of:

21 (i) the State government;

22 (ii) a service, device, or system related to the production,
23 transmission, delivery, or storage of electricity, **WATER**, or natural gas in the State that is
24 owned, operated, or controlled by a person other than a public service company, as defined
25 in § 1–101 of the Public Utilities Article; or

26 (iii) a service provided in the State by a public service company, as
27 defined in § 1–101 of the Public Utilities Article.

28 (d) (1) A person who violates subsection (c)(1) of this section is guilty of a
29 misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine
30 not exceeding \$1,000 or both.

31 (2) A person who violates subsection (c)(2) or (3) of this section:

1 (i) if the aggregate amount of the loss is \$10,000 or more, is guilty
2 of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not
3 exceeding \$10,000 or both; or

4 (ii) if the aggregate amount of the loss is less than \$10,000, is guilty
5 of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a
6 fine not exceeding \$5,000 or both.

7 (3) A person who violates subsection (c)(4) of this section:

8 (i) if the aggregate amount of the loss is \$50,000 or more, is guilty
9 of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not
10 exceeding \$25,000 or both; or

11 (ii) if the aggregate amount of the loss is less than \$50,000, is guilty
12 of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a
13 fine not exceeding \$25,000 or both.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2015.