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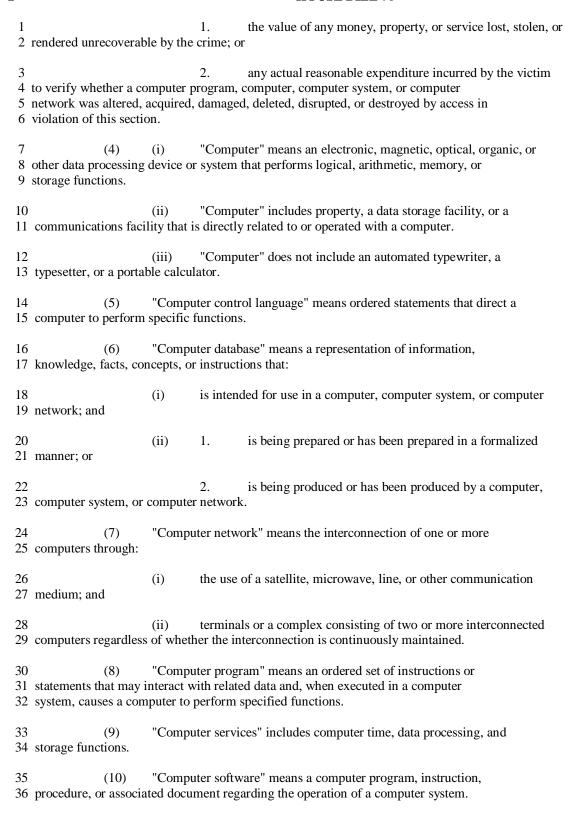
2004 Regular Session 4lr0389

(PRE-FILED)

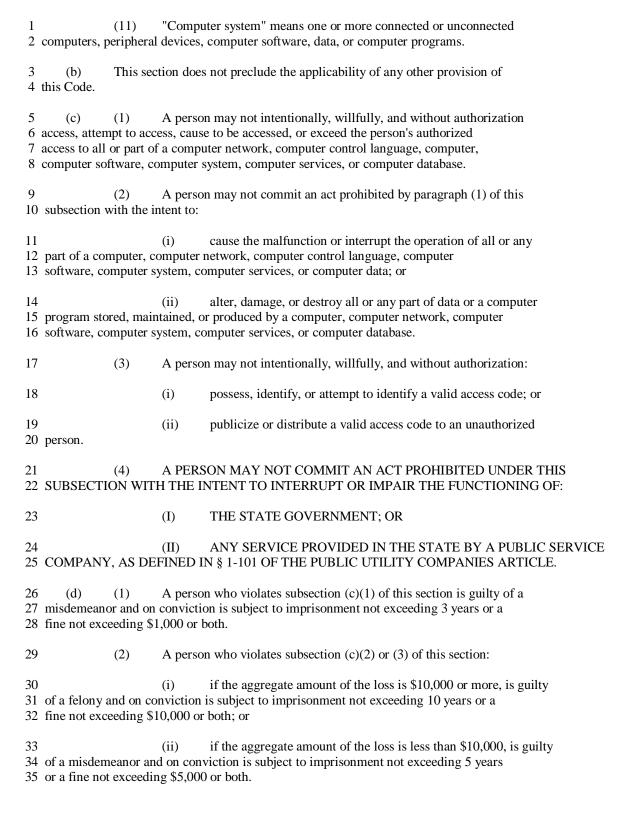
By: **Delegate Lee**Requested: August 6, 2003
Introduced and read first time: January 14, 2004
Assigned to: Judiciary

			A BILL ENTITLED
1	AN ACT concerning		
2 3	Crimes - Unauthorized Computer Access for Sabotage of State Governmen or Public Utilities		
4 5 6 7 8 9	FOR the purpose of prohibiting a person from intentionally and willfully gaining unauthorized access to computer services with the intent to interrupt or impair the functioning of the State government or a service provided in the State by a public service company; establishing certain penalties; and generally relating to the unauthorized access of computer services to interrupt or impair the State government or certain public utility services.		
10 11 12 13 14	Annotated Code of Maryland		
15 16	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:		
17	Article - Criminal Law		
18	7-302.		
19	(a) (1)	In this s	ection the following words have the meanings indicated.
	(2) "Access" means to instruct, communicate with, store data in, retrieve or intercept data from, or otherwise use the resources of a computer program, computer system, or computer network.		
23 24	(3) incurred by a victim.	(i)	"Aggregate amount" means a direct loss of property or services
25		(ii)	"Aggregate amount" includes:

HOUSE BILL 70



HOUSE BILL 70



16 October 1, 2004.

1 (3) A PERSON WHO VIOLATES SUBSECTION (C)(4) OF THIS SECTION: 2 (I) IF THE AGGREGATE AMOUNT OF THE LOSS IS \$50,000 OR MORE, 3 IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT 4 EXCEEDING 15 YEARS OR A FINE NOT EXCEEDING \$50,000 OR BOTH; OR IF THE AGGREGATE AMOUNT OF THE LOSS IS LESS THAN 5 6 \$50,000, IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO 7 IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$25,000 OR 8 BOTH. 9 (e) Access achieved in violation of this section under a single scheme or a 10 continuing course of conduct may be considered as one violation. 11 A court of competent jurisdiction may try a person prosecuted under this 12 section in any county in this State where: 13 (1) the defendant performed the act; or 14 (2) the accessed computer is located. 15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect