

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 930

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “disclosing” in line 3 down through “circumstances;” in line 7 and substitute “maliciously using an interactive computer service to disclose or assist another person to disclose certain personal identifying information of an individual, without the consent of the individual, in order to annoy, threaten, embarrass, or harass the individual;”; strike beginning with “disclosing” in line 8 down through “consent” in line 9 and substitute “a violation of this Act”; in line 12, strike “8-301(b)” and substitute “8-301(a)”; and after line 14, insert:

“BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 8-301(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY adding

Article – Criminal Law

Section 8-301(b-1)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“(a) (1) In this section the following words have the meanings indicated.

(Over)

(2) “INTERACTIVE COMPUTER SERVICE” MEANS AN INFORMATION SERVICE, SYSTEM, OR ACCESS SOFTWARE PROVIDER THAT PROVIDES OR ENABLES COMPUTER ACCESS BY MULTIPLE USERS TO A COMPUTER SERVER, INCLUDING A SYSTEM THAT PROVIDES ACCESS TO THE INTERNET AND CELLULAR PHONES.

[(2)] (3) “Payment device number” has the meaning stated in § 8–213 of this title.

[(3)] (4) “Personal identifying information” includes a name, address, telephone number, driver’s license number, Social Security number, place of employment, employee identification number, mother’s maiden name, bank or other financial institution account number, date of birth, personal identification number, credit card number, or other payment device number.

[(4)] (5) “Re–encoder” means an electronic device that places encoded personal identifying information or a payment device number from the magnetic strip or stripe of a credit card onto the magnetic strip or stripe of a different credit card or any electronic medium that allows such a transaction to occur.

[(5)] (6) “Skimming device” means a scanner, skimmer, reader, or any other electronic device that is used to access, read, scan, obtain, memorize, or store, temporarily or permanently, personal identifying information or a payment device number encoded on the magnetic strip or stripe of a credit card.”.

AMENDMENT NO. 3

On page 1, in line 20, strike “DISCLOSE,”; in the same line, strike “[”]; in the same line, strike “],”]; in the same line, strike “, OR DISCLOSE”; and in line 22, strike the colon.

On page 2, in line 1, strike “(1)”; strike beginning with the semicolon in line 2 down through “INDIVIDUAL” in line 4; and after line 4, insert:

“(B-1) A PERSON MAY NOT MALICIOUSLY USE AN INTERACTIVE COMPUTER SERVICE TO DISCLOSE OR ASSIST ANOTHER PERSON TO DISCLOSE THE DRIVER’S LICENSE NUMBER, BANK OR OTHER FINANCIAL INSTITUTION ACCOUNT NUMBER, CREDIT CARD NUMBER, PAYMENT DEVICE NUMBER, SOCIAL SECURITY NUMBER, OR EMPLOYEE IDENTIFICATION NUMBER OF AN INDIVIDUAL, WITHOUT THE CONSENT OF THE INDIVIDUAL, IN ORDER TO ANNOY, THREATEN, EMBARRASS, OR HARASS THE INDIVIDUAL.”

AMENDMENT NO. 4

On page 2, in lines 6 and 11, in each instance, strike the brackets; in the same lines, in each instance, strike “(B)(1)”; in line 16, strike the brackets; in line 17, strike “, OR DISCLOSE”; and in line 20, strike “(B)(2)” and substitute “(B-1)”.