

HOUSE BILL 445

E1

(5lr0898)

ENROLLED BILL

— *Judiciary/Judicial Proceedings* —

Introduced by **Delegate Hill**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Interference With a Public Safety Answering Point – Penalties**

3 FOR the purpose of prohibiting a person from taking certain actions with the intent to
4 interrupt or impair the functioning of a public safety answering point; ~~prohibiting a~~
5 ~~person from taking certain actions that interrupt or impair the functioning of a~~
6 ~~public safety answering point~~; and generally relating to public safety answering
7 points.

8 BY repealing and reenacting, with amendments,

9 Article – Criminal Law

10 Section 7–302(c) and (d)

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



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

Article – Criminal Law

7–302.

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

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

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

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

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

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

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

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

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

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

(i) the State government;

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

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

(iv) a health care facility, as defined in § 18-338.1 of the Health – General Article; or

(v) a public school, as defined in § 1-101 of the Education Article.

(5) (i) This paragraph does not apply to a person who has a bona fide scientific, educational, governmental, testing, news, or other similar justification for possessing ransomware.

(ii) A person may not knowingly possess ransomware with the intent to use the ransomware for the purpose of introduction into the computer, computer network, or computer system of another person without the authorization of the other person.

(6) A PERSON MAY NOT COMMIT AN ACT PROHIBITED UNDER THIS SUBSECTION WITH THE INTENT TO INTERRUPT OR IMPAIR THE FUNCTIONING OF A PUBLIC SAFETY ANSWERING POINT, AS DEFINED IN § 1-301 OF THE PUBLIC SAFETY ARTICLE.

~~**(7) A PERSON MAY NOT COMMIT AN ACT PROHIBITED UNDER THIS SUBSECTION THAT INTERRUPTS OR IMPAIRS THE FUNCTIONING OF A PUBLIC SAFETY ANSWERING POINT, AS DEFINED IN § 1-301 OF THE PUBLIC SAFETY ARTICLE.**~~

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

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

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

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

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

(i) if the aggregate amount of the loss is \$10,000 or more, is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$100,000 or both; or

(ii) if the aggregate amount of the loss is less than \$10,000, is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$25,000 or both.

(4) A person who violates subsection (c)(5) of this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding \$5,000 or both.

(5) A PERSON WHO VIOLATES SUBSECTION (C)(6) OF THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$25,000 OR BOTH.

~~**(6) A PERSON WHO VIOLATES SUBSECTION (C)(7) OF THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$50,000 OR BOTH.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.