

SUMMARY OF AND DISTINCTIONS BETWEEN 2025HB445 AND HB444

Under § 7-302 of the Criminal Law Article, a person may not intentionally, willfully, and without authorization, access or attempt to access, cause to be accessed, or exceed the person's authorized access to all or part of a computer, computer network, computer control language, computer software, computer system, computer service, or computer database. A person may not intentionally, willfully, and without authorization, copy, attempt to copy, possess, or attempt to possess the contents of all or part of a computer database that was unlawfully accessed.

- ➔ Misdemeanor: up to three / \$1,000
- above with the intent to
 - (1) cause the malfunction or interruption of all or any part of a computer network/ control language/ software/ computer system/ computer service/ or computer data or
 - (2) alter, damage, or destroy all or any part of data or a computer program
- intentionally, willfully, and without authorization
 - (1) possessing, identifying, or attempting to identify a valid access code or
 - (2) publicizing or distributing a valid access code to an unauthorized person.
- ➔ Misdemeanor: 5 years/\$5,00 if aggregate loss <\$10,000
Felony: 10 years/\$10,000
- if intent to interrupt or impair the functioning of (1) the State government; (2) a public utility (3) a service provided in the State by a public service company; (4) a health care facility; or (5) a public school.
- If the aggregate amount of the associated loss \geq \$10,000
- ➔ Felony: 10 years / \$100,000.
If the aggregate amount of the loss is < \$10,000
- ➔ Misdemeanor: 5 years / \$25,000
Possession, distributing, or deploying ransom ware
- ➔ Misdemeanor: 2 years/ \$5,000

With HB445 (the narrower bill)

*A person who commits prohibited act with **the intent to interrupt or impair the functioning of a PSAP***

Felony: 5 years/ \$25,000 regardless of the dollar amount of aggregate loss.

*A person who commits an act **that interrupts or impairs the functioning of a PSAP***

Felony: to 10 years /\$50,000 regardless of the dollar amount of aggregate loss.

WITH HB444 (the broader bill)

*Above listed penalties apply to **PSAP and all other CRITICAL (cyber) INFRASTRUCTURE** as the bill defines.*