

1 **UTAH COMPUTER CRIMES ACT AMENDMENTS**

2 2005 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Bradley M. Daw**

5 John Dougall

6

7 **LONG TITLE**

8 **General Description:**

9 This bill amends the definition of "computer network" in the Utah Computer Crimes
10 Act.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ amends the definition of "computer network" in the Utah Computer Crimes Act to
14 include wireless networks; and
15 ▶ makes technical changes.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **76-6-702**, as last amended by Chapter 300, Laws of Utah 1997

24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section **76-6-702** is amended to read:

26 **76-6-702. Definitions.**

27 As used in this part:



28 (1) "Access" means to directly or indirectly use, attempt to use, instruct, communicate
29 with, cause input to, cause output from, or otherwise make use of any resources of a computer,
30 computer system, computer network, or any means of communication with any of them.

31 (2) "Authorization" means having the express or implied consent or permission of the
32 owner, or of the person authorized by the owner to give consent or permission to access a
33 computer, computer system, or computer network in a manner not exceeding the consent or
34 permission.

35 (3) "Computer" means any electronic device or communication facility [~~with data~~
36 processing ability] that stores, retrieves, or processes data.

37 (4) "Computer system" means a set of related, connected or unconnected, devices,
38 software, or other related computer equipment.

39 (5) "Computer network" means:

40 (a) the interconnection of communication or telecommunication lines between:

41 (i) computers; or

42 (ii) computers and remote terminals[-]; or

43 (b) the interconnection by wireless technology between:

44 (i) computers; or

45 (ii) computers and remote terminals.

46 (6) "Computer property" includes~~[-, but is not limited to,]~~ electronic impulses,
47 electronically produced data, information, financial instruments, software, or programs, in
48 either machine or human readable form, any other tangible or intangible item relating to a
49 computer, computer system, computer network, and copies of any of them.

50 (7) "Confidential" means data, text, or computer property that is protected by a security
51 system that clearly evidences that the owner or custodian intends that it not be available to
52 others without the owner's or custodian's permission.

53 (8) "License or entitlement" includes:

54 (a) licenses, certificates, and permits granted by governments;

55 (b) degrees, diplomas, and grades awarded by educational institutions;

56 (c) military ranks, grades, decorations, and awards;

57 (d) membership and standing in organizations and religious institutions;

58 (e) certification as a peace officer;

59 (f) credit reports; and

60 (g) another record or datum upon which a person may be reasonably expected to rely in
61 making decisions that will have a direct benefit or detriment to another.

62 (9) "Security system" means a computer, computer system, network, or computer
63 property that has some form of access control technology implemented, such as encryption,
64 password protection, other forced authentication, or access control designed to keep out
65 unauthorized persons.

66 (10) "Services" include~~[-but are not limited to,]~~ computer time, data manipulation, and
67 storage functions.

68 (11) "Financial instrument" includes~~[-but is not limited to,]~~ any check, draft, money
69 order, certificate of deposit, letter of credit, bill of exchange, electronic fund transfer,
70 automated clearing house transaction, credit card, or marketable security.

71 (12) "Software" or "program" means a series of instructions or statements in a form
72 acceptable to a computer, relating to the operations of the computer, or permitting the
73 functioning of a computer system in a manner designed to provide results including~~[-but not
74 limited to,]~~ system control programs, application programs, or copies of any of them.

Legislative Review Note
as of 1-3-05 8:55 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0185

Utah Computer Crimes Act Amendments

13-Jan-05

1:31 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst