

H.B. 225

CYBERCRIME AMENDMENTS

Representative **David E. Lifferth** proposes the following amendments:

1. *Page 1, Lines 19 through 20:*

19 ▶ modifies an element of computer crimes to include a person who acts ~~{with}~~ without
20 authorization , or whose acts exceed authorization , ~~{but then}~~ and who commits a crime;

2. *Page 1, Line 21:*

21 ▶ modifies the reporting procedure for computer crime offenses , including reporting by state
agencies ; and

3. *Page 2, Line 55:*

55 (ii) computers and remote terminals; ~~{or}~~
(iii) network connected devices; or

4. *Page 3, Line 88:*

88 ~~[(10)]~~ (13) "Security system" means a computer, computer system, network, network connected
device, or

5. *Page 4, Line 102:*

102 (1) A person who ~~{with or}~~ , acting without authorization or whose acts exceed
authorization, gains or attempts to gain access to any

6. *Page 5, Lines 140 through 141:*

140 (4) A person who ~~{intentionally or knowingly, and with or}~~ , acting without authorization,
or whose acts exceed authorization,
141 interferes with or interrupts computer services to another authorized to receive the services is

7. *Page 5, Line 144:*

144 computer system, computer program, computer data or software ~~{intentionally or~~
~~knowingly}~~ unlawfully

8. *Page 5, Line 145:*

145 interferes with or interrupts critical infrastructure is guilty of a ~~{third degree felony}~~ class A
misdemeanor .

9. Page 6, Line 154:

154 ~~(1)~~ Every person, except ~~[those]~~ a person to whom a statutory or common law privilege

10. Page 6, Line 157:

157 ~~{(1)}~~ (a) the attorney general~~[-]~~ or county attorney, or, if within a prosecution district, the

11. Page 6, Line 160:

160 ~~{(2)}~~ (b) a state or local law enforcement agency .
(2) Every state agency that has reason to believe that any provision of Section 76-6-703 is being or
has been violated within the agency's computer system or network shall report the suspected
violation to the Utah Department of Public Safety, State Bureau of Investigation.

12. Page 6, Lines 171 through 172:

171 that causes or threatens to cause bodily harm, serious bodily injury, or death against another
172 person is a ~~{third degree felony}~~ class A misdemeanor .

13. Page 7, Lines 190 through 192:

190 (d) "Minor" means a person who is younger than 18 years of age.
191 ~~{(e) "Personal identifying information" means the same as that term is defined in~~
192 Section 76-6-1102.}

14. Page 7, Lines 194 through 196:

194 prosecution in the jurisdiction where the communication originated or was received if the person, or a
party whom the person has encouraged to act in violation of this Subsection (2), acts with
195 intent to ~~{annoy,}~~ alarm, intimidate, ~~{offend,}~~ abuse, threaten, harass, ~~{frighten,}~~ or disrupt
the
196 electronic communications of another ~~{, the person}~~ and :

15. Page 7, Line 208 through Page 8, Line 214:

208 physical harm, or damage to any person or the property of any person; ~~{+}~~ or ~~{+}~~
209 (d) causes disruption, jamming, or overload of an electronic communication system
210 through excessive message traffic or other means utilizing an electronic communication
211 device ~~{+}~~ . ~~{+}~~ ~~{; or}~~
212 ~~— (e) electronically publishes, posts, or otherwise makes available personal identifying~~

213 ~~information in a public online site or forum.~~}

214 (3) (a) (i) Electronic communication harassment committed against an adult is a class

16. Page 9, Lines 261 through 264:

261 (d) A violation of Subsection (2)(d) {:

262 ~~(i) is a third degree felony; or~~

263 ~~(ii)}~~ is a second degree felony {~~if the emergency responders while acting in response to~~

264 ~~the report cause physical injury to any resident or other person at the reported location}~~ .