

JAN 18 2012

A BILL FOR AN ACT

RELATING TO UNAUTHORIZED COMPUTER ACCESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 708-895.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]§708-895.5[+]~~ **Unauthorized computer access in the**
4 **first degree.** (1) A person commits the offense of unauthorized
5 computer access in the first degree if the person knowingly
6 accesses a computer, computer system, or computer network
7 without authorization and thereby obtains information, and:

8 (a) The offense was committed for the purpose of
9 commercial or private financial gain;

10 (b) The offense was committed in furtherance of any other
11 crime;

12 (c) The value of the information obtained exceeds
13 ~~[\$5,000+]~~ \$20,000; or

14 (d) The information has been determined by statute or rule
15 of court to require protection against unauthorized
16 disclosure.

17 (2) Unauthorized computer access in the first degree is a
18 class ~~[B]~~ A felony."



1 SECTION 2. Section 708-895.6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§708-895.6[+] **Unauthorized computer access in the**
4 **second degree.** (1) A person commits the offense of
5 unauthorized computer access in the second degree if the person
6 knowingly accesses a computer, computer system, or computer
7 network without authorization and thereby obtains information.

8 (2) Unauthorized computer access in the second degree is a
9 class [€] B felony."

10 SECTION 3. Section 708-895.7, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "[+]§708-895.7[+] **Unauthorized computer access in the**
13 **third degree.** (1) A person commits the offense of unauthorized
14 computer access in the third degree if the person knowingly
15 accesses a computer, computer system, or computer network
16 without authorization.

17 (2) Unauthorized computer access in the third degree is a
18 [~~misdemeanor-~~] class C felony."

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



S.B. NO. 2066

1 SECTION 5. This Act shall take effect on July 1, 2012.

2

INTRODUCED BY: *AS. T. J.*
By Request



S.B. NO. 2066

Report Title:

Unauthorized Computer Access; Honolulu Prosecutor Package

Description:

Amends sections 708-895.5, 708-895.6, and 708-895.7, to increase unauthorized computer access in the first degree to a class A felony, increase unauthorized computer access in the second degree to a class B felony, and increase unauthorized computer access in the third degree to a class C felony; where unauthorized computer access in the first degree is charged based on the monetary value of information obtained, raises the minimum monetary value to \$20,000.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

