

JAN 20 2012

A BILL FOR AN ACT

RELATING TO COMPUTER CRIME.

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 by amending subsection (2) to read as follows:

3 "(2) Unauthorized computer access in the second degree is
4 a class [C] B felony."

5 SECTION 3. Section 708-895.7, Hawaii Revised Statutes, is
6 amended by amending subsection (2) to read as follows:

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

9 SECTION 4. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 5. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.

15

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'Jill', is written over a horizontal line.

S.B. NO. 2529

Report Title:

Unauthorized Computer Access; Penalties

Description:

Increases the penalties for: (1) unauthorized computer access in the first degree from a class B felony to a class A felony and increases the value of information obtained requirements for the offense from more than \$5,000 to more than \$20,000; (2) unauthorized computer access in the second degree from a class C felony to a class B felony; and (3) unauthorized computer access in the third degree from misdemeanor to a class C felony.

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

