THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 258   Session of 1983

INTRODUCED BY RAPPAPORT, SPENCER, SWEET, BLAUM, F. E. TAYLOR, KOSINSKI, HAGARTY, PICCOLA, L. E. SMITH AND VROON, FEBRUARY 16, 1983

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, OCTOBER 18, 1983

AN ACT

1   Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2   Consolidated Statutes, providing for computer-related
3   offenses.

4   The General Assembly of the Commonwealth of Pennsylvania

5   hereby enacts as follows:

6   Section 1. Title 18 of the Pennsylvania Consolidated

7   Statutes is amended by adding a section to read:

8   § 3933. Unlawful use of computer.

9   (a) Offense defined.--A person commits an offense if he:

10   (1) accesses, alters, damages or destroys any computer,

11   computer system, computer network, computer software,

12   computer program or data base or any part thereof, with the

13   intent to interrupt the normal functioning of an organization

14   or to devise or execute any scheme or artifice to defraud or

15   deceive, or control property or services by means of false or

16   fraudulent pretenses, representations or promises; or

17   (2) intentionally and without authorization accesses,

1   alters, damages or destroys any computer, computer system ~~or~~,   <—

2   computer network ~~or any computer software, program or data~~   <—

3   ~~base contained in the computer, computer system or computer~~

4   ~~network.~~, COMPUTER SOFTWARE, COMPUTER PROGRAM OR COMPUTER   <—

5   DATA BASE OR ANY PART THEREOF.

6   (b) Grading.--An offense under subsection (a)(1) is a felony

7   of the third degree. An offense under subsection (a)(2) is a

8   misdemeanor of the first degree.

9   (c) Definitions.--As used in this section the following

10   words and phrases shall have the meanings given to them in this

11   subsection:

12   "Access." To approach, instruct, communicate with, store

13   data in, retrieve data from or otherwise make use of any

14   resources of a computer, computer system or computer network.

15   "Computer." An electronic, magnetic, optical, hydraulic,

16   organic or other high speed data processing device or system

17   which performs logic, arithmetic or memory functions and

18   includes all input, output, processing, storage, software or

19   communication facilities which are connected or related to the

20   device in a system or network.

21   "Computer network." The interconnection of two or more

22   computers through the usage of satellite, microwave, line or

23   other communication medium.

24   "Computer program." An ordered set of instructions or

25   statements and related data that, when automatically executed in

26   actual or modified form in a computer system, causes it to

27   perform specified functions.

28   "Computer software." A set of computer programs, procedures

29   and associated documentation concerned with the operation of a

30   computer system.

1   "Computer system." A set of related, connected or

2   unconnected computer equipment, devices and software.

3   "Data base." A representation of information, knowledge,

4   facts, concepts or instructions which are being prepared or have

5   been prepared in a formalized manner and are intended for use in

6   a computer, computer system or computer network.

7   "Financial instrument." Includes, but is not limited to, any

8   check, draft, warrant, money order, note, certificate of

9   deposit, letter of credit, bill of exchange, credit or debit

10   card, transaction authorization mechanism, marketable security

11   or any computer system representation thereof.

12   "Property." Includes, but is not limited to, financial

13   instruments, computer software and programs in either machine or

14   human readable form, and anything of value, tangible or

15   intangible.

16   "Services." Includes, but is not limited to, computer time,

17   data processing and storage functions.

18   Section 2. This act shall take effect in 60 days.