
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 24, 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,

alters, damages or destroys any computer, computer system or,
computer network or any computer software, program or data
base contained in the computer, computer system or computer
network., COMPUTER SOFTWARE, COMPUTER PROGRAM OR COMPUTER
DATA BASE OR ANY PART THEREOF.

(b) Grading.--An offense under subsection (a)(1) is a felony
of the third degree. An offense under subsection (a)(2) is a
misdemeanor of the first degree.

(c) Definitions.--As used in this section the following
words and phrases shall have the meanings given to them in this
subsection:

"Access." To approach, instruct, communicate with, store
data in, retrieve data from or otherwise make use of any
resources of a computer, computer system or computer network.

"Computer." An electronic, magnetic, optical, hydraulic,
organic or other high speed data processing device or system
which performs logic, arithmetic or memory functions and
includes all input, output, processing, storage, software or
communication facilities which are connected or related to the
device in a system or network.

"Computer network." The interconnection of two or more
computers through the usage of satellite, microwave, line or
other communication medium.

"Computer program." An ordered set of instructions or
statements and related data that, when automatically executed in
actual or modified form in a computer system, causes it to
perform specified functions.

"Computer software." A set of computer programs, procedures
and associated documentation concerned with the operation of a
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.