

Vermont General Assembly

BILLAS INTRODUCED

**AN ACT RELATING TO MODERNIZING VERMONT'S COMPUTER CRIME
STATUTES**

Sec. 1. 13 V.S.A. § 4101 is amended to read:

§ 4101. Definitions

As used in this chapter:

(1) **Access** means

to instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resource of a computer, computer system, cloud service, or computer network.

(2) **Computer** means

an electronic, magnetic, optical, electrochemical, or other data processing device or group of devices performing logical, arithmetic, storage, or communication functions, including any data storage facility, communications facility, mobile device, embedded system, or Internet-connected device directly related to or operating in conjunction with such device.

(3) **Computer network** means

the interconnection of two or more computers, computer systems, or communication devices for the purpose of transmitting, receiving, storing, or processing data.

(4) **Computer system** means

a computer or group of interconnected computers, including associated hardware, software, firmware, data storage devices, or network resources.

(5) **Data** means

information, knowledge, facts, concepts, computer programs, software, instructions, databases, or other material stored, processed, transmitted, or interpreted by a computer, computer system, cloud service, or computer network.

NEW DEFINITIONS

(6) **Cloud service** means a service that provides on-demand network access to shared computing resources, including storage, applications, or processing capacity.

(7) **Malicious code** means a program, instruction, or code designed to infiltrate, damage, disrupt, monitor, encrypt, or impair the operation, security, or integrity of a computer, computer system, or computer network.

(8) **Protected computer** means a computer, computer system, or computer network that:

(A) is used by a State or municipal governmental entity;

(B) is used in or affecting interstate or international commerce; or

(C) provides services related to critical infrastructure, including healthcare, financial services, public utilities, emergency services, or transportation.

(9) **Personal identifying information** means information that can be used to distinguish or trace an individual's identity, including name in combination with a Social Security number, driver's license number, financial account number, authentication credential, or biometric identifier.

Sec. 2. 13 V.S.A. § 4102 is amended to read:

§ 4102. Computer crime

A person commits the offense of computer crime if the person knowingly and without authorization:

(1)

accesses or causes to be accessed any computer, computer system, cloud service, or computer network;

(2)

obtains, copies, alters, damages, deletes, or destroys data or a computer program;

(3)

disrupts, impairs, or denies computer services to an authorized user, including through denial-of-service attacks or similar methods;

(4) **introduces malicious code or a command that damages, disrupts, encrypts, disables, or otherwise impairs the operation of a computer, computer system, or computer network;**

(5) **obtains or discloses personal identifying information or confidential data through unauthorized access; or**

(6) **uses a computer, computer system, or computer network to further a scheme to defraud, extort, harass, or cause unlawful harm.**

Sec. 3. 13 V.S.A. § 4103 is added to read:

§ 4103. Aggravated computer crime

(a) A person commits aggravated computer crime if the person violates section 4102 of this title and the violation:

- (1) causes damage exceeding \$5,000.00;
 - (2) involves a protected computer;
 - (3) results in the acquisition or exposure of personal identifying information of 50 or more individuals;
 - (4) disrupts the operation of critical infrastructure or essential public services; or
 - (5) involves ransomware or other malicious code intended to extort payment.
- (b) A person who violates this section shall be imprisoned not more than 10 years or fined not more than \$50,000.00, or both.
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Sec. 4. Effective date

This act shall take effect on July 1 following passage.

WORKING DRAFT