

SENATE BILL NO. \_\_\_\_\_ HOUSE BILL NO. \_\_\_\_\_

1 § 18.2-152.4. Computer trespass; penalty.

2 A. It shall be unlawful for any person, with malicious intent, to:

3 1. Temporarily or permanently remove, halt, or otherwise disable any computer data, computer  
4 programs or computer software from a computer or computer network;

5 2. Cause a computer to malfunction, regardless of how long the malfunction persists;

6 3. Alter, disable, or erase any computer data, computer programs or computer software;

7 4. Effect the creation or alteration of a financial instrument or of an electronic transfer of funds;

8 5. Use a computer or computer network to cause physical injury to the property of another; ~~or~~

9 6. Use a computer or computer network to ~~make or cause to be made an unauthorized copy, in~~  
10 ~~any form, including, but not limited to, any printed or electronic form of computer data, computer~~  
11 ~~programs or computer software residing in, communicated by, or produced by a computer or computer~~  
12 ~~network.~~ monitor or record any computer information without the permission of the owner of the  
13 computer or computer network;

14 7. [Repealed.]

15 8. Install or cause to be installed computer software on the computer of another, without the  
16 authorization of the owner; or

17 9. Disable or disrupt the ability of a computer to share or transmit instructions or computer data  
18 to other computers or to any related computer equipment or devices, including, but not limited to,  
19 printers, scanners, or fax machines.

20 B. Any person who violates this section shall be guilty of computer trespass, which ~~offense~~ shall  
21 be punishable as a Class 1 misdemeanor. If there is damage to the property of another valued at ~~\$1,000~~  
22 \$500 or more caused by such person's act in violation of this section, the offense shall be punishable as a  
23 Class 6 felony. If a person installs or causes to be installed computer software on more than five  
24 computers of another, the offense shall be punishable as a Class 6 felony.

25 C. Nothing in this section shall be construed to interfere with or prohibit terms or conditions in a  
26 contract or license related to computers, computer data, computer networks, computer operations,  
27 computer programs, computer services, or computer software or to create any liability by reason of  
28 terms or conditions adopted by, or technical measures implemented by, a Virginia-based electronic mail  
29 service provider to prevent the transmission of unsolicited electronic mail in violation of this article.  
30 Nothing in this section shall be construed to prohibit the monitoring of computer usage of, the otherwise  
31 lawful copying of data of, or the denial of computer or Internet access to a minor by a parent or legal  
32 guardian of the minor.

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