

1 **SENATE FLOOR VERSION**

2 March 21, 2013

3 ENGROSSED HOUSE
4 BILL NO. 2045

By: Henke and Kern of the House

5 and

6 Brinkley and Shortey of the
7 Senate

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9 An Act relating to crimes and punishments; amending
10 21 O.S. 2011, Section 1953, which relates to the
11 Oklahoma Computer Crimes Act; construing provision
relating to certain prohibited acts; and providing an
effective date.

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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1953, is
16 amended to read as follows:

17 Section 1953. A. It shall be unlawful to:

18 1. Willfully, and without authorization, gain or attempt to
19 gain access to and damage, modify, alter, delete, destroy, copy,
20 make use of, disclose or take possession of a computer, computer
21 system, computer network or any other property;

22 2. Use a computer, computer system, computer network or any
23 other property as hereinbefore defined for the purpose of devising
24 or executing a scheme or artifice with the intent to defraud,

1 deceive, extort or for the purpose of controlling or obtaining
2 money, property, services or other thing of value by means of a
3 false or fraudulent pretense or representation;

4 3. Willfully exceed the limits of authorization and damage,
5 modify, alter, destroy, copy, delete, disclose or take possession of
6 a computer, computer system, computer network or any other property;

7 4. Willfully and without authorization, gain or attempt to gain
8 access to a computer, computer system, computer network or any other
9 property;

10 5. Willfully and without authorization use or cause to be used
11 computer services;

12 6. Willfully and without authorization disrupt or cause the
13 disruption of computer services or deny or cause the denial of
14 access or other computer services to an authorized user of a
15 computer, computer system or computer network;

16 7. Willfully and without authorization provide or assist in
17 providing a means of accessing a computer, computer system or
18 computer network in violation of this section;

19 8. Willfully use a computer, computer system, or computer
20 network to annoy, abuse, threaten, or harass another person; and

21 9. Willfully use a computer, computer system, or computer
22 network to put another person in fear of physical harm or death.

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1 B. Any person convicted of violating paragraph 1, 2, 3, 6, 7 or
2 9 of subsection A of this section shall be guilty of a felony
3 punishable as provided in Section 1955 of this title.

4 C. Any person convicted of violating paragraph 4, 5 or 8 of
5 subsection A of this section shall be guilty of a misdemeanor.

6 D. Nothing in the Oklahoma Computer Crimes Act shall be
7 construed to prohibit the monitoring of computer usage of, or the
8 denial of computer or Internet access to a child by a parent, legal
9 guardian, legal custodian, or foster parent. As used in this
10 subsection, "child" shall mean any person less than eighteen (18)
11 years of age.

12 SECTION 2. This act shall become effective November 1, 2013.

13 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
14 March 21, 2013 - DO PASS
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