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# A BILL FOR AN ACT

RELATING TO UNAUTHORIZED COMPUTER ACCESS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 708-895.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§~~708-895.5~~§~~ Unauthorized computer access in the  
4 first degree. (1) A person commits the offense of unauthorized  
5 computer access in the first degree if the person knowingly  
6 accesses a computer, computer system, or computer network  
7 without authorization and thereby obtains information, and:

8           (a) The offense was committed for the purpose of  
9 commercial or private financial gain;

10           (b) The offense was committed in furtherance of any other  
11 crime;

12           (c) The value of the information obtained exceeds  
13 ~~[\$5,000,]~~ \$20,000; or

14           (d) The information has been determined by statute or rule  
15 of court to require protection against unauthorized  
16 disclosure.

17           (2) Unauthorized computer access in the first degree is a  
18 class [B] A felony."



1 SECTION 2. Section 708-895.6, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§708-895.6[+] **Unauthorized computer access in the**  
4 **second degree.** (1) A person commits the offense of  
5 unauthorized computer access in the second degree if the person  
6 knowingly accesses a computer, computer system, or computer  
7 network without authorization and thereby obtains information.

8 (2) Unauthorized computer access in the second degree is a  
9 class [C] B felony."

10 SECTION 3. Section 708-895.7, Hawaii Revised Statutes, is  
11 amended to read as follows:

12 "[+]§708-895.7[+] **Unauthorized computer access in the**  
13 **third degree.** (1) A person commits the offense of unauthorized  
14 computer access in the third degree if the person knowingly  
15 accesses a computer, computer system, or computer network  
16 without authorization.

17 (2) Unauthorized computer access in the third degree is a  
18 [~~misdemeanor-~~] class C felony."

19 SECTION 4. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.



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1 SECTION 5. This Act shall take effect on July 1, 2012.

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INTRODUCED BY:

*Calvin K. Day*

By Request

JAN 13 2012



# H.B. NO. 1778

**Report Title:**

Unauthorized Computer Access; Honolulu Prosecutor Package

**Description:**

Amends sections 708-895.5, 708-895.6, and 708-895.7, to increase unauthorized computer access in the first degree to a class A felony, increase unauthorized computer access in the second degree to a class B felony, and increase unauthorized computer access in the third degree to a class C felony; where unauthorized computer access in the first degree is charged based on the monetary value of information obtained, raises the minimum monetary value to \$20,000.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

