

BILL ANALYSIS

Senate Research Center
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S.B. 249
By: Patrick
Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In the 82nd Legislature, Regular Session, 2011, H.B. 3396 amended the Penal Code to expand the definition of computer crimes and made certain crimes state jail felonies.

S.B. 249 clarifies the original intent of H.B. 3396 that a breach of computer security made with the intent to obtain a benefit is a punishable offense based on the standard value ladder in the Penal Code.

As proposed, S.B. 249 amends current law relating to the prosecution of the offense of breach of computer security.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 33.02(b-1), Penal Code, to provide that a person commits an offense if, with the intent to obtain a benefit, defraud or harm another, or alter, damage, or delete property, the person knowingly accesses a computer, computer network, or computer system without the effective consent of the owner.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2013.