

By: Patrick

S.B. No. 249

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of breach of computer security.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (b-1), Section 33.02, Penal Code, is amended to read as follows:

(b-1) A person commits an offense if:

(1) with the intent to 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; or

(2) with the intent to obtain a benefit, the person knowingly accesses a computer, computer network, or computer system in violation of:

(A) a clear and conspicuous prohibition by the owner of the computer, computer network, or computer system; or

(B) a contractual agreement to which the person has expressly agreed.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of

1 this Act if any element of the offense occurred before that date.

2 SECTION 3. This Act takes effect September 1, 2013.