

1-1 By: Patrick S.B. No. 249
 1-2 (In the Senate - Filed January 25, 2013; January 29, 2013,
 1-3 read first time and referred to Committee on Criminal Justice;
 1-4 March 20, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 5, Nays 0; March 20, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13			X	
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 249 By: Schwertner

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the prosecution of the offense of breach of computer
 1-20 security.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subsection (b-1), Section 33.02, Penal Code, is
 1-23 amended to read as follows:

1-24 (b-1) A person commits an offense if:

1-25 (1) with the intent to defraud or harm another or
 1-26 alter, damage, or delete property, the person knowingly accesses a
 1-27 computer, computer network, or computer system without the
 1-28 effective consent of the owner; or

1-29 (2) with the intent to obtain a benefit, the person
 1-30 knowingly accesses a computer, computer network, or computer system
 1-31 in violation of:

1-32 (A) a clear and conspicuous prohibition by the
 1-33 owner of the computer, computer network, or computer system; or

1-34 (B) a contractual agreement to which the person
 1-35 has expressly agreed.

1-36 SECTION 2. The change in law made by this Act applies only
 1-37 to an offense committed on or after the effective date of this Act.
 1-38 An offense committed before the effective date of this Act is
 1-39 covered by the law in effect when the offense was committed, and the
 1-40 former law is continued in effect for that purpose. For purposes of
 1-41 this section, an offense was committed before the effective date of
 1-42 this Act if any element of the offense occurred before that date.

1-43 SECTION 3. This Act takes effect September 1, 2013.

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