

By: West

S.B. No. 1619

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of the offense of electronic access
3 interference.

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

5 SECTION 1. Chapter 33, Penal Code, is amended by adding
6 Section 33.022 to read as follows:

7 Sec. 33.022. ELECTRONIC ACCESS INTERFERENCE. (a) A person
8 commits an offense if:

9 (1) the person intentionally interrupts or suspends
10 access to a computer network or computer system without the
11 effective consent of the owner; and

12 (2) the computer network or computer system is owned
13 by the government or a critical infrastructure facility.

14 (b) An offense under this section is a felony of the third
15 degree.

16 (c) It is a defense to prosecution under this section that
17 the person acted with the intent to facilitate a lawful seizure or
18 search of, or lawful access to, a computer network or computer
19 system for a legitimate law enforcement purpose.

20 SECTION 2. Section 33.03, Penal Code, is amended to read as
21 follows:

22 Sec. 33.03. DEFENSES. It is an affirmative defense to
23 prosecution under Section 33.02 or 33.022 that the actor was an
24 officer, employee, or agent of a communications common carrier or

1 electric utility and committed the proscribed act or acts in the
2 course of employment while engaged in an activity that is a
3 necessary incident to the rendition of service or to the protection
4 of the rights or property of the communications common carrier or
5 electric utility.

6 SECTION 3. This Act takes effect September 1, 2017.