S T A T E O F N E W Y O R K

3404

2015-2016 Regular Sessions

I N S E N A T E

February 6, 2015

Introduced by Sens. CROCI, GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the penal law, in relation to cyber terrorism in the first and second degree

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The penal law is amended by adding two new sections 490.26 and 490.27 to read as follows:

S 490.26 CYBER TERRORISM IN THE SECOND DEGREE.

A PERSON IS GUILTY OF A CRIME OF CYBER TERRORISM IN THE SECOND DEGREE WHEN, WITH INTENT TO CAUSE SERIOUS, WIDE-SPREAD FINANCIAL HARM, OR COMMIT ANY OFFENSE CONTAINED WITHIN ARTICLE ONE HUNDRED FIFTY-FIVE OF THIS CHAPTER AGAINST MORE THAN TEN PEOPLE, A PERSON USES A COMPUTER, A COMPUTER PROGRAM, A COMPUTER NETWORK, COMPUTER MATERIAL, A COMPUTER SERVICE, OR COMPUTER DATA, TO CAUSE SUCH WIDE-SPREAD FINANCIAL HARM OR TO COMMIT ANY OFFENSE CONTAINED WITHIN ARTICLE ONE HUNDRED FIFTY-FIVE OF THIS CHAPTER AGAINST MORE THAN TEN PEOPLE.

CYBER TERRORISM IN THE SECOND DEGREE IS A CLASS C FELONY.

S 490.27 CYBER TERRORISM IN THE FIRST DEGREE.

A PERSON IS GUILTY OF A CRIME OF CYBER TERRORISM IN THE FIRST DEGREE WHEN, WITH INTENT TO INTIMIDATE OR COERCE A CIVILIAN POPULATION, INFLUENCE THE POLICY OF A UNIT OF GOVERNMENT BY INTIMIDATION OR COERCION, AFFECT THE CONDUCT OF A UNIT OF GOVERNMENT, OR CAUSE MASS INJURY, DAMAGE, DESTRUCTION OR DEBILITATION TO PERSONS AND/OR PROPERTY, A PERSON USES A COMPUTER, A COMPUTER PROGRAM, A COMPUTER NETWORK, COMPUTER MATERIAL, A COMPUTER SERVICE, OR COMPUTER DATA, TO INTIMIDATE, INFLUENCE, COERCE, AFFECT, INJURE, DAMAGE, DESTROY, OR DEBILITATE PERSONS OR PROPERTY.

CYBER TERRORISM IN THE FIRST DEGREE IS A CLASS A FELONY.

S 2. This act shall take effect on the first of November next succeeding the date upon which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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