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3404

2015-2016 Regular Sessions

I N   S E N A T E

February 6, 2015
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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 ASSEM-
    BLY, DO ENACT AS FOLLOWS:

 1   Section 1. The penal law is amended by adding two new sections 490.26
 2 and 490.27 to read as follows:
 3 S 490.26 CYBER TERRORISM IN THE SECOND DEGREE.
 4   A PERSON IS GUILTY OF A CRIME OF CYBER TERRORISM IN THE SECOND DEGREE
 5 WHEN, WITH INTENT TO CAUSE SERIOUS, WIDE-SPREAD FINANCIAL HARM, OR
 6 COMMIT ANY OFFENSE CONTAINED WITHIN ARTICLE ONE HUNDRED FIFTY-FIVE OF
 7 THIS CHAPTER AGAINST MORE THAN TEN PEOPLE, A PERSON USES A COMPUTER, A
 8 COMPUTER PROGRAM, A COMPUTER NETWORK, COMPUTER MATERIAL, A COMPUTER
 9 SERVICE, OR COMPUTER DATA, TO CAUSE SUCH WIDE-SPREAD FINANCIAL HARM OR
10 TO COMMIT ANY OFFENSE CONTAINED WITHIN ARTICLE ONE HUNDRED FIFTY-FIVE OF
11 THIS CHAPTER AGAINST MORE THAN TEN PEOPLE.
12   CYBER TERRORISM IN THE SECOND DEGREE IS A CLASS C FELONY.
13 S 490.27 CYBER TERRORISM IN THE FIRST DEGREE.
14   A PERSON IS GUILTY OF A CRIME OF CYBER TERRORISM IN THE FIRST DEGREE
15 WHEN, WITH INTENT TO INTIMIDATE OR COERCE A CIVILIAN POPULATION, INFLU-
16 ENCE THE POLICY OF A UNIT OF GOVERNMENT BY INTIMIDATION OR COERCION,
17 AFFECT THE CONDUCT OF A UNIT OF GOVERNMENT, OR CAUSE MASS INJURY,
18 DAMAGE, DESTRUCTION OR DEBILITATION TO PERSONS AND/OR PROPERTY, A PERSON
19 USES A COMPUTER, A COMPUTER PROGRAM, A COMPUTER NETWORK, COMPUTER MATE-
20 RIAL, A COMPUTER SERVICE, OR COMPUTER DATA, TO INTIMIDATE, INFLUENCE,
21 COERCE, AFFECT, INJURE, DAMAGE, DESTROY, OR DEBILITATE PERSONS OR PROP-
22 ERTY.
23   CYBER TERRORISM IN THE FIRST DEGREE IS A CLASS A FELONY.
24   S 2. This act shall take effect on the first of November next succeed-
25 ing the date upon which it shall have become a law.

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