STATE OF NEW YORK

8561--A

2021-2022 Regular Sessions

IN ASSEMBLY

December 13, 2021

Introduced by M. of A. VANEL -- read once and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to establishing the crime of larceny by cyber extortion

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 155.05 of the penal law is amended by adding a new paragraph (f) to read as follows:

(f) By cyber extortion.

A person obtains property by cyber extortion when he or she intends to obtain property from another person or entity located in the state of New York in consideration of him or her removing or otherwise remediating the impact of a set of machine language instructions that restricts the person's or entity's access to his or her computer, computer system, computer network, or any data therein, that is designed to modify, damage, destroy, record, or transmit information within a computer, computer system, or computer network or render inoperable or otherwise modify such person's or entity's computer, computer system, or computer network without the intent or permission of the owner of such computer, computer system, computer network, or any data contained therein, hereinafter referred to as malicious computer instructions, and he or she intended to implement and did implement such malicious computer instructions, threatened to implement whether or not he or she intended to implement such malicious computer instructions, or, even though they were not implemented, stated that such malicious computer instructions were implemented on such person's or entity's computer.

§ 2. This act shall take effect immediately.

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

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