STATE OF NEW YORK

8261

IN SENATE

February 7, 2022

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to the crime of computer tampering in the third degree

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

Section 1. Section 156.25 of the penal law, as amended by chapter 89 of the laws of 1993, subdivision 2 as amended by chapter 376 of the laws of 1997, and subdivisions 4 and 5 as amended by chapter 784 of the laws of 2021, is amended to read as follows:

§ 156.25 Computer tampering in the third degree.

A person is guilty of computer tampering in the third degree when [~~he commits~~] **they commit** the crime of computer tampering in the fourth degree and:

1. [~~he does~~] **they do** so with an intent to commit or attempt to commit or further the commission of any felony; or

2. [~~he has~~] **they have** been previously convicted of any crime under this article or subdivision eleven of section 165.15 of this chapter; or

3. [~~he~~] **they** intentionally [~~alters~~] **alter** in any manner or [~~destroys~~] **destroy** computer material; or

4. [~~he~~] **they** intentionally [~~alters~~] **alter** in any manner or [~~destroys~~] **destroy** computer data or a computer program so as to cause damages in an aggregate amount exceeding one thousand dollars; or

5. [~~he~~] **they** intentionally [~~alters~~] **alter** in any manner or [~~destroys~~] **destroy** computer material indicating that a person did or did not receive a vaccination against COVID-19**; or**

6. they intentionally enter or alter in any manner or destroy computer material indicating that a person did or did not receive a vaccination that is reported to the New York state immunization information system or the New York city immunization registry.

Computer tampering in the third degree is a class E felony.

§ 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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