

# 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:

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

5 § 156.25 Computer tampering in the third degree.

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

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

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

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

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

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

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

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

26 § 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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