

# STATE OF NEW YORK

2301

2023-2024 Regular Sessions

## IN ASSEMBLY

January 25, 2023

Introduced by M. of A. VANEL -- read once and referred to the Committee on Codes

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:

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

3 (f) By cyber extortion.

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

21 § 2. This act shall take effect immediately.

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

LBD02922-01-3