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HOUSE BILL NO. 1110

Offered January 13, 2010

Prefiled January 13, 2010

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-152.4:1, relating to unauthorized account access; penalty.*

Patrons—Ebbin, Torian and Ward

Referred to Committee on Science and Technology

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 18.2-152.4:1 as follows:**

§ 18.2-152.4:1. Unauthorized account access; penalty.

A. Any person who accesses a password-protected database, file, or online account of another without authority and creates, deletes, or alters any data or information in the database, file, or online account is guilty of a Class 1 misdemeanor.

B. Any person who commits a violation of subsection A and causes damage to the property of another valued at \$1,000 or more is guilty of a Class 6 felony.

C. The provisions of this section shall not apply to (i) a law-enforcement officer, as defined in § 9.1-101, acting in the performance of his official duties or (ii) a parent or guardian of any child, unless that child has been judicially declared emancipated.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 781 of the Acts of Assembly of 2009 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

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