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**HOUSE BILL NO. 2321**

Offered January 10, 2007

Prefiled January 9, 2007

*A BILL to amend and reenact § 18.2-152.3 of the Code of Virginia, relating to definition of computer fraud; venue for computer fraud; penalty.*

\_\_\_\_\_  
Patron—Gilbert

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Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 18.2-152.3 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-152.3. Computer fraud; penalty.

Any person who uses a computer or computer network, without authority and:

1. Obtains property or services by false pretenses;

2. Embezzles or commits larceny; or

3. Converts the property of another;

4. *Purchases or attempts to purchase property or services with a mode of payment he knows or has reason to know is false, fictitious, or is without the consent of the responsible payor;*

5. *Sells or attempts to sell property he knows or has reason to know is stolen; or is guilty of the crime of computer fraud.*

If the value of the property or services obtained is \$200 or more, the crime of computer fraud ~~shall be punishable as~~ is a Class 5 felony. Where the value of the property or services obtained is less than \$200, the crime of computer fraud ~~shall be punishable as~~ is a Class 1 misdemeanor.

*Venue for prosecution under this section may lie in any jurisdiction where one portion of the offense occurred.*

*"Computer or computer network" includes access to and use of the Internet by any electronic wired or wireless device.*

**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 and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.**

INTRODUCED

HB2321