

(1982 Replacement Volume and 1983 Supplement)

Preamble

WHEREAS, The Maryland General Assembly has declared that crime involving computers is a growing problem in government as well as in the private sector; and

WHEREAS, As society moves into the "Information Age", the opportunities for computer crimes in government and the private sector have increased the risk for significant loss of services and increased costs to the citizens of Maryland; and

WHEREAS, Various forms of computer crimes may be the subject of criminal charges based on other provisions of law; and

WHEREAS, The Maryland General Assembly has stated that it is appropriate and desirable that a statute that proscribes additional forms of computer crime be adopted; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

146.

(A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) (I) "COMPUTER" MEANS AN ELECTRONIC, MAGNETIC, OPTICAL, HYDRAULIC, ORGANIC, OR OTHER HIGH-SPEED DATA PROCESSING DEVICE OR SYSTEM THAT PERFORMS LOGICAL, ARITHMETIC, MEMORY, OR STORAGE FUNCTIONS.

(II) "COMPUTER" INCLUDES ANY PROPERTY, DATA STORAGE FACILITY, OR COMMUNICATIONS FACILITY THAT IS DIRECTLY RELATED TO OR OPERATED IN CONJUNCTION WITH THAT DEVICE OR SYSTEM.

(III) "COMPUTER" DOES NOT INCLUDE AN AUTOMATED TYPEWRITER OR TYPESETTER, A PORTABLE CALCULATOR, OR ANY COMPUTER THAT:

1. IS DESIGNED, MANUFACTURED, AND USED EXCLUSIVELY FOR ROUTINE PERSONAL, FAMILY, OR HOUSEHOLD PURPOSES; AND

2. IS NOT USED TO GAIN ACCESS, COMMUNICATE WITH, OR MANIPULATE ANY OTHER COMPUTER.

(2) "COMPUTER CONTROL LANGUAGE" MEANS ANY ORDERED STATEMENTS THAT DIRECT A COMPUTER TO PERFORM SPECIFIC FUNCTIONS.

(3) "COMPUTER DATA BASE" MEANS A REPRESENTATION OF INFORMATION, KNOWLEDGE, FACTS, CONCEPTS, OR INSTRUCTIONS THAT: