

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Economic Development &
2 Tourism Subcommittee
3 Representative Spano offered the following:
4

5 **Amendment**

6 Between lines 41 and 42, insert:

7 (1) "Authorized user" means, with respect to a protected
8 computer, (i) a director, officer or employee of the owner,
9 operator or lessee of such computer or the owner of information
10 stored in the protected computer (ii) such owner's third-party
11 agents, contractors, consultants and any of their respective
12 employees; provided that any such person has been granted access
13 to such protected computer by its owner, operator or lessee or
14 the owner of information stored in such protected computer in
15 the form of a technological access barrier. An employer provides
16 explicit permission to an employee by providing the employee
17 with a technological access barrier within the scope of the

Amendment No. 1

18 employee's employment. Such permission, however, shall be deemed
19 terminated upon cessation of the employee's employment.

20 Remove lines 76-83 and insert:

21 (8) "Without authorization" means access to a protected
22 computer by any one of the following: (i) a person who is not an
23 authorized user, (ii) a person who has stolen a technological
24 access barrier of an authorized user or (iii) a person
25 circumventing a technological access barrier on a protected
26 computer without the express or implied permission of the owner,
27 operator, or lessee of the computer or the express or implied
28 permission of the owner of information stored in the protected
29 computer; provided that for purposes of subsection (iii) in this
30 definition, the term does not include circumventing a
31 technological measure that does not effectively control access
32 to the protected computer or the information stored in the
33 protected computer.