

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1165

H.P. 863

House of Representatives, March 17, 2011

### **An Act To Enable Prosecutions for Criminal Invasion of Computer Privacy**

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Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative DION of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 17-A MRSA §434** is enacted to read:

3 **§434. Prosecution of invasion of computer privacy**

4 1. The crime of criminal invasion of computer privacy as defined in section 432 may  
5 be prosecuted and punished in:

6 A. The county in which the defendant was located when the defendant accessed the  
7 computer resource; or

8 B. A county in which the computer resource was located.

9 2. The crime of aggravated criminal invasion of computer privacy as defined in  
10 section 433 may be prosecuted and punished in:

11 A. The county in which the defendant was located when the defendant copied the  
12 computer program, computer software or computer information;

13 B. The county in which the defendant was located when the defendant damaged the  
14 computer resource;

15 C. The county in which the defendant was located when the defendant introduced or  
16 allowed the introduction of a computer virus into the computer resource;

17 D. A county in which the computer program, computer software or computer  
18 information was located; or

19 E. A county in which the computer resource was located.

20 **SUMMARY**

21 This bill provides that the crimes of criminal invasion of computer privacy and  
22 aggravated criminal invasion of computer privacy may be prosecuted and punished in  
23 either the county in which the defendant was located when the defendant committed the  
24 crime or in any county in which the computer resource that was accessed, damaged or  
25 infected with a virus was located, or, in the case of aggravated criminal invasion of  
26 computer privacy, in any county in which the computer program, computer software or  
27 computer information that the defendant copied was located.