

# SENATE BILL 496

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SB 405/23 – JPR

4lr1277  
CF HB 70

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By: **Senator Kagan**

Introduced and read first time: January 24, 2024

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Interference With a Public Safety Answering Point – Penalties**

3 FOR the purpose of prohibiting a person from taking certain actions with the intent to  
4 interrupt or impair the functioning of a public safety answering point; prohibiting a  
5 person from taking certain actions that interrupt or impair the functioning of a  
6 public safety answering point; and generally relating to public safety answering  
7 points.

8 BY repealing and reenacting, with amendments,  
9 Article – Criminal Law  
10 Section 7–302(c) and (d)  
11 Annotated Code of Maryland  
12 (2021 Replacement Volume and 2023 Supplement)

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

15 **Article – Criminal Law**

16 7–302.

17 (c) (1) A person may not intentionally, willfully, and without authorization:

18 (i) access, attempt to access, cause to be accessed, or exceed the  
19 person’s authorized access to all or part of a computer network, computer control language,  
20 computer, computer software, computer system, computer service, or computer database;  
21 or

22 (ii) copy, attempt to copy, possess, or attempt to possess the contents  
23 of all or part of a computer database accessed in violation of item (i) of this paragraph.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) A person may not commit an act prohibited by paragraph (1) of this  
2 subsection with the intent to:

3                   (i) cause the malfunction or interrupt the operation of all or any part  
4 of a computer, computer network, computer control language, computer software, computer  
5 system, computer service, or computer data; or

6                   (ii) alter, damage, or destroy all or any part of data or a computer  
7 program stored, maintained, or produced by a computer, computer network, computer  
8 software, computer system, computer service, or computer database.

9           (3) A person may not intentionally, willfully, and without authorization:

10                   (i) possess, identify, or attempt to identify a valid access code; or

11                   (ii) publicize or distribute a valid access code to an unauthorized  
12 person.

13           (4) A person may not commit an act prohibited under this subsection with  
14 the intent to interrupt or impair the functioning of:

15                   (i) the State government;

16                   (ii) a service, device, or system related to the production,  
17 transmission, delivery, or storage of electricity or natural gas in the State that is owned,  
18 operated, or controlled by a person other than a public service company, as defined in §  
19 1–101 of the Public Utilities Article;

20                   (iii) a service provided in the State by a public service company, as  
21 defined in § 1–101 of the Public Utilities Article;

22                   (iv) a health care facility, as defined in § 18–338.1 of the Health –  
23 General Article; or

24                   (v) a public school, as defined in § 1–101 of the Education Article.

25           (5) (i) This paragraph does not apply to a person who has a bona fide  
26 scientific, educational, governmental, testing, news, or other similar justification for  
27 possessing ransomware.

28                   (ii) A person may not knowingly possess ransomware with the intent  
29 to use the ransomware for the purpose of introduction into the computer, computer  
30 network, or computer system of another person without the authorization of the other  
31 person.

32           **(6) A PERSON MAY NOT COMMIT AN ACT PROHIBITED UNDER THIS**  
33 **SUBSECTION WITH THE INTENT TO INTERRUPT OR IMPAIR THE FUNCTIONING OF A**

1 PUBLIC SAFETY ANSWERING POINT, AS DEFINED IN § 1-301 OF THE PUBLIC SAFETY  
2 ARTICLE.

3 (7) A PERSON MAY NOT COMMIT AN ACT PROHIBITED UNDER THIS  
4 SUBSECTION THAT INTERRUPTS OR IMPAIRS THE FUNCTIONING OF A PUBLIC  
5 SAFETY ANSWERING POINT, AS DEFINED IN § 1-301 OF THE PUBLIC SAFETY  
6 ARTICLE.

7 (d) (1) A person who violates subsection (c)(1) of this section is guilty of a  
8 misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine  
9 not exceeding \$1,000 or both.

10 (2) A person who violates subsection (c)(2) or (3) of this section:

11 (i) if the aggregate amount of the loss is \$10,000 or more, is guilty  
12 of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not  
13 exceeding \$10,000 or both; or

14 (ii) if the aggregate amount of the loss is less than \$10,000, is guilty  
15 of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a  
16 fine not exceeding \$5,000 or both.

17 (3) A person who violates subsection (c)(4) of this section:

18 (i) if the aggregate amount of the loss is \$10,000 or more, is guilty  
19 of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not  
20 exceeding \$100,000 or both; or

21 (ii) if the aggregate amount of the loss is less than \$10,000, is guilty  
22 of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a  
23 fine not exceeding \$25,000 or both.

24 (4) A person who violates subsection (c)(5) of this section is guilty of a  
25 misdemeanor and on conviction is subject to imprisonment not exceeding 2 years or a fine  
26 not exceeding \$5,000 or both.

27 (5) A PERSON WHO VIOLATES SUBSECTION (C)(6) OF THIS SECTION IS  
28 GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT  
29 EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$25,000 OR BOTH.

30 (6) A PERSON WHO VIOLATES SUBSECTION (C)(7) OF THIS SECTION IS  
31 GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT  
32 EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$50,000 OR BOTH.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 October 1, 2024.