

## HOUSE BILL NO. HB0178

Computer trespass.

Sponsored by: Representative(s) Nicholas, B. and  
Senator(s) Nicholas, P.

A BILL

for

1 AN ACT relating to offenses against computer property;  
2 creating the criminal offense of computer trespass;  
3 specifying elements of the offense and penalties; providing  
4 a civil cause of action for computer trespass; and  
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 6-3-506 and 40-25-101 are created to  
10 read:

11

12 **6-3-506. Computer trespass; penalties.**

13

14 (a) A person commits a computer trespass if he  
15 knowingly and without authorization transfers or sends  
16 electronically into a computer, computer system or computer

1 network or causes to be transferred or sent electronically  
2 into a computer, computer system or computer network any  
3 data, program or other information which alters, damages or  
4 causes the malfunction of the operation of the computer,  
5 computer system or computer network.

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7 (b) A computer trespass is a misdemeanor punishable  
8 by imprisonment for not more than six (6) months, a fine of  
9 not more than seven hundred fifty dollars (\$750.00), or  
10 both.

11

12

## ARTICLE 25

13

### COMPUTER TRESPASS

14

15 **40-25-101. Computer trespass.**

16

17 (a) A person commits a civil trespass if:

18

19 (i) He transfers or sends electronically into a  
20 computer, computer system or computer network of another or  
21 causes to be transferred or sent electronically into a  
22 computer, computer system or computer network of another  
23 any data, program or other information which alters,

1 damages or causes the malfunction of the operation of the  
2 computer, computer system or computer network: and

3

4 (A) The act was done without authority of  
5 the owner or lawful possessor of the property; or

6

7 (B) If after being notified by the owner or  
8 lawful possessor to remove the data, program or other  
9 information, fails to do so completely.

10

11 (b) A person who suffers damage or loss by reason of  
12 a trespass under this section shall have a cause of action  
13 against the trespasser for all damages incurred, including  
14 any damages to the person's computer, computer system or  
15 computer network and any costs incurred by the person for  
16 services that could not be utilized as a result of the  
17 commission of the crime. A prevailing party may be awarded  
18 all costs of litigation including reasonable attorneys fees  
19 in a civil action brought under this section.

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21 (c) The definitions provided in W.S. 6-3-501 shall be  
22 applicable to this section.

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1       **Section 2.** This act is effective July 1, 2014.

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(END)