

## **716.6B Unauthorized computer access penalties civil cause of action.**

1. A person who knowingly and without authorization accesses a computer, computer system, or computer network commits the following:

*a.* An aggravated misdemeanor if computer data is accessed that contains a confidential record, as defined in section 22.7, operational or support data of a public utility, as defined in section 476.1, operational or support data of a rural water district incorporated pursuant to chapter 357A, 504, or 504A, operational or support data of a municipal utility organized pursuant to chapter 388 or 389, operational or support data of a public airport, or a trade secret, as defined in section 550.2.

*b.* A serious misdemeanor if computer data is copied, altered, or deleted.

*c.* A simple misdemeanor for any access which is not an aggravated or serious misdemeanor.

2. The prosecuting attorney or an aggrieved person may institute civil proceedings against any person in district court seeking relief from conduct constituting a violation of this section or to prevent, restrain, or remedy such a violation.

2000 Acts, ch 1201, §11; 2002 Acts, ch 1049, §2; 2003 Acts, ch 75, §1; 2004 Acts, ch 1175, §394

### **Footnotes**

Computer terminology, see §702.1A

Reference to chapter 504A in subsection 1, paragraph a, to be deleted editorially upon repeal of that chapter; 2004 Acts, ch 1049, §191