

**House File 339 - Introduced**

HOUSE FILE 339

BY NUNN

**A BILL FOR**

1 An Act relating to the criminal offense of unauthorized  
2 computer access, and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 716.6B, subsection 1, Code 2017, is  
2 amended to read as follows:

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

6 ~~a. An aggravated misdemeanor~~ A class "C" felony if computer  
7 data is accessed that contains a confidential record, as  
8 defined in [section 22.7](#), operational or support data of a  
9 public utility, as defined in [section 476.1](#), operational or  
10 support data of a rural water district incorporated pursuant to  
11 chapter 357A or [504](#), operational or support data of a municipal  
12 utility organized pursuant to [chapter 388](#) or [389](#), operational  
13 or support data of a public airport, or a trade secret, as  
14 defined in [section 550.2](#).

15 ~~b. A serious misdemeanor~~ class "D" felony if computer data  
16 is copied, altered, or deleted.

17 ~~c. A simple~~ An aggravated misdemeanor for any access which  
18 is not an ~~aggravated or serious misdemeanor~~ a felony.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with  
21 the explanation's substance by the members of the general assembly.

22 This bill relates to the criminal offense of unauthorized  
23 computer access.

24 The bill increases the criminal penalties for committing  
25 unauthorized computer access.

26 The bill increases the criminal penalty from an aggravated  
27 misdemeanor to a class "C" felony if computer data is accessed  
28 that contains a confidential record, a trade secret, or  
29 operational or support data of a public utility, rural water  
30 district, municipal utility, or public airport.

31 The bill increases the criminal penalty from a serious  
32 misdemeanor to a class "D" felony if computer data is copied,  
33 altered, or deleted.

34 The bill increases the criminal penalty from a simple  
35 misdemeanor to an aggravated misdemeanor for any access which

1 is not a felony under the bill.

2 A person who violates the bill is excluded from providing a  
3 DNA sample under Code chapter 81.

4 A class "C" felony is punishable by confinement for no more  
5 than 10 years and a fine of at least \$1,000 but not more than  
6 \$10,000. A class "D" felony is punishable by confinement for  
7 no more than five years and a fine of at least \$750 but not  
8 more than \$7,500. An aggravated misdemeanor is punishable  
9 by confinement for no more than two years and a fine of at  
10 least \$625 but not more than \$6,250. A simple misdemeanor is  
11 punishable by confinement for no more than 30 days or a fine of  
12 at least \$65 but not more than \$625 or by both.