

CHAPTER 1049**CRIMINAL MISCHIEF AND UNAUTHORIZED COMPUTER ACCESS***S.F. 2098*

AN ACT relating to the criminal offenses of unauthorized computer access and criminal mischief, and providing a penalty.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 716.1, Code 2001, is amended to read as follows:

716.1 CRIMINAL MISCHIEF DEFINED.

Any damage, defacing, alteration, or destruction of tangible property is criminal mischief when done intentionally by one who has no right to so act.

Sec. 2. Section 716.6B, Code 2001, is amended to read as follows:

716.6B UNAUTHORIZED COMPUTER ACCESS.

1. A person who knowingly and without authorization accesses a computer, computer system, or computer network commits a simple misdemeanor 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 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.

Approved April 1, 2002

CHAPTER 1050**NONSUBSTANTIVE CODE CORRECTIONS***S.F. 2201*

AN ACT relating to nonsubstantive Code corrections and including effective and retroactive applicability provisions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 7E.5, subsection 1, paragraph h, Code 2001, is amended to read as follows:

h. The Iowa department of economic development, created in section 15.104 15.105, which has primary responsibility for programs for carrying out the economic development policies of the state.