

2001 ASSEMBLY BILL 178

March 8, 2001 – Introduced by Representatives SCHNEIDER and RYBA, cosponsored by Senators DARLING and SCHULTZ. Referred to Committee on Criminal Justice.

1 **AN ACT to amend** 943.70 (2) (b) 3. and 943.70 (2) (b) 4. of the statutes; **relating**
2 **to:** computer crimes and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law no person may willfully, knowingly and without authorization modify, destroy, copy, take possession of, or access computer data, computer programs, or supporting documentation of a computer system. A person who violates this prohibition is generally guilty of a Class A misdemeanor. However, if the violation occurs under certain circumstances, the person may face higher penalties. Specifically, if the person committed the violation in order to defraud another or obtain the property of another he or she is guilty of a Class E felony. If the violation causes more than \$2,500 of damage or if it causes an interruption or impairment of governmental operations, public communication, transportation, or a supply of water, gas, or other public service, the person is guilty of a Class D felony. Finally, if the violation creates a substantial and unreasonable risk of death or great bodily harm to another, the person is guilty of a Class C felony.

This bill increases the penalties for violating this prohibition under certain circumstances. Specifically, the bill provides that a person is guilty of a Class A felony if the violation does either of the following: 1) causes an interruption or impairment of governmental operations, public communication, transportation, or a supply of water, gas, or other public service; or 2) creates a substantial and unreasonable risk of death or great bodily harm to another.

The penalties for the crimes mentioned above are as follows:

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<i>Crime</i>	<i>Maximum Fine</i>	<i>Maximum Imprisonment</i>
Class A misdemeanor	\$10,000	Nine months
Class E felony	\$10,000	Five years
Class D felony	\$10,000	Ten years
Class C felony	\$10,000	Fifteen years
Class A felony	No fine provided	Life imprisonment

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 943.70 (2) (b) 3. of the statutes is amended to read:

2 943.70 **(2)** (b) 3. A Class D felony if the damage is greater than \$2,500 ~~or if it~~
3 ~~causes an interruption or impairment of governmental operations or public~~
4 ~~communication, of transportation or of a supply of water, gas or other public service.~~

5 **SECTION 2.** 943.70 (2) (b) 4. of the statutes is amended to read:

6 943.70 **(2)** (b) 4. A Class C A felony if the offense creates a substantial and
7 unreasonable risk of death or great bodily harm to another or causes an interruption
8 or impairment of governmental operations or public communication, of
9 transportation or of a supply of water, gas, or other public service.

10 **SECTION 3. Initial applicability.**

11 (1) This act first applies to offenses committed on the effective date of this
12 subsection.

13

(END)