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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 405, L.D. 1308, Bill, “An Act To Strengthen Computer Privacy”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 17-A MRSA §435 is enacted to read:

§435. Added jurisdiction to prosecute

1. In addition to the State's having jurisdiction pursuant to section 7 to convict a person under section 432 or 433, the State has jurisdiction to convict a person under this chapter when that person is physically located outside of this State and the prohibited conduct:

A. Occurs outside of this State and the victim of the crime is a resident of this State at the time of the crime; and

B. Is sufficient under this section to constitute a crime in this State.

2. As used in this section, "resident" means a person who lives in this State either permanently or for an extended period. "Extended period" includes, but is not limited to, the period of time a student attends a school or college and the period of time a person serving in the Armed Forces of the United States is stationed in this State.'

SUMMARY

This amendment replaces the bill and creates a section regarding added jurisdiction that applies to the whole chapter on computer crimes. The new provision, like the bill, gives the State jurisdiction to convict a person residing outside the State who commits criminal invasion of computer privacy or aggravated criminal invasion of computer privacy if the victim was a resident of the State at the time of the crime.

COMMITTEE AMENDMENT