

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Enable Prosecutions for Criminal Invasion of Computer Privacy

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 17-A MRSA §434 is enacted to read:

§ 434. Prosecution of invasion of computer privacy

1. The crime of criminal invasion of computer privacy as defined in section 432 may be prosecuted and punished in:

A. The county in which the defendant was located when the defendant accessed the computer resource; or

B. A county in which the computer resource was located.

2. The crime of aggravated criminal invasion of computer privacy as defined in section 433 may be prosecuted and punished in:

A. The county in which the defendant was located when the defendant copied the computer program, computer software or computer information;

B. The county in which the defendant was located when the defendant damaged the computer resource;

C. The county in which the defendant was located when the defendant introduced or allowed the introduction of a computer virus into the computer resource;

D. A county in which the computer program, computer software or computer information was located; or

E. A county in which the computer resource was located.

SUMMARY

This bill provides that the crimes of criminal invasion of computer privacy and aggravated criminal invasion of computer privacy may be prosecuted and punished in either the county in which the defendant was located when the defendant committed the crime or in any county in which the computer resource that was accessed, damaged or infected with a virus was located, or, in the case of aggravated criminal invasion of computer privacy, in any county in which the computer program, computer software or computer information that the defendant copied was located.