

itself, ought to be a crime because it is an enormous, in today's technological age, an enormous invasion of privacy. The second area that...the second offense that it creates is has to be...or it's proposed because it's a new type of activity that we didn't know about, didn't exist back when the computer crimes bill was originally passed in 1985, and that is in the area of computer viruses. If you remember, I believe it was two years ago that we had a big scare on Columbus Day. There was a computer virus that had been introduced into quite a few different computers, including a lot of home PCs, that was set to start doing its damage on Columbus Day and a lot of precautions had to be taken to prevent that virus from doing damage to computers. A virus basically is a computer program that's hidden in...that's hidden and doesn't pop up, you can't normally find it without actually looking for it, that, for example, one way a virus would work is to eat up all the memory that a computer has, thereby preventing the computer from functioning, or eating up data that is included in the computer, thereby destroying the data that is already in existence. What this bill would do is to criminalize that conduct of introducing a computer virus into a computer system. The third area that I would like to call your attention to is the...that the unlawful computer entry, it does recognize that there are several different areas of...or, excuse me, several different grades of offenses and that is because we have different degrees of severity of the offenses. First, is if that access causes a grave risk of death to an individual, it would be a Class IV felony. If it was a...if the unauthorized access caused a risk to public health and safety, not a grave risk but a risk to the public health and safety, be guilty of a Class I misdemeanor. And persons who compromise the security of data would be a Class II misdemeanor. And that recognizes the varying degrees that we place...public policywise place upon different types of events. One is a serious risk of death, ought to be the most serious of the offense; a risk of health and safety ought to be the next level; and compromising property or the security of data ought to be the third level. I do have...Madam President, how much time do I have?

PRESIDENT MOUL: You have about five and a half minutes.

SENATOR LINDSAY: Okay, when this was in Judiciary Committee, Senator Chambers and I believe Senator Labeledz also had some concerns with the question on the intent and whether this would, I believe Senator Labeledz asked a question of whether this might