

intend to benefit by it, or, as you mentioned, a criminal intent, then that is not covered by this act. This refers to intentionally in the criminal sense and that is the intent to commit a crime.

SENATOR CHAMBERS: Now suppose I know how to access computers at Offutt or bank information and I just am curious and that's all, that's the extent of it, I access it and I've been doing it but I don't make any use of it and I've not harmed the system, nor have I planted a virus, does that become an offense under this bill?

SENATOR LINDSAY: If that interferes with the activity of the computer...

SENATOR CHAMBERS: No, it doesn't.

SENATOR LINDSAY: ...it would be. And if it doesn't, if it...

SENATOR CHAMBERS: It doesn't interfere.

SENATOR LINDSAY: ...does not affect the activity, that is not the intent of the bill, no.

SENATOR CHAMBERS: Okay, and I want that clear because there may be people who can do that right now.

SENATOR LINDSAY: Right.

SENATOR CHAMBERS: Would you turn to page 6, and I'm going to try to keep this as brief as I can.

SENATOR LINDSAY: Okay.

SENATOR CHAMBERS: We talk, in lines 10 through 13 about the offense of unauthorized computer access. The attempt is also as serious an offense as actually accomplishing the penetration. So that means if I go through...if I start hitting keys at random on my computer trying to find a number and my intent is to access somebody's computer system for the purpose of filching information or placing a virus, but I simply don't have enough knowledge to do it, and it's determined and discovered that I have actually done that, is that...does that constitute an attempt?