

## HOUSE BILL No. 2478

By Committee on Utilities

2-9

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AN ACT concerning computers; relating to computer contaminants, mis-identified electronic mail and attempting certain connections; prohibiting certain acts and providing penalties for violations.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. (a) As used in this section:

(1) "Computer contaminant" means any set of computer instructions that are designed to modify, damage, destroy, record or transmit information within a computer, computer system or computer network without the intent or permission of the owner of the information. They include, but are not limited to, a group of computer instructions commonly called viruses or worms, that are self-replicating or self-propagating and are designed to contaminate other computer programs or computer data, consume computer resources, modify, destroy, record or transmit data, or in some other fashion usurp the normal operation of the computer, computer system or computer network.

(2) "Computer network" means any system that provides communications between one or more computer systems and input/output devices including, but not limited to, display terminals and printers connected by telecommunication facilities.

(3) "Computer system" means a device or collection of devices, including support devices and excluding calculators that are not programmable and capable of being used in conjunction with external files, one or more of which contain computer programs, electronic instructions, input data and output data, that performs functions including, but not limited to, logic, arithmetic, data storage and retrieval, communication and control.

(4) "Internet domain name" means a globally unique, hierarchical reference to an internet host or service, assigned through centralized internet naming authorities, comprising a series of character strings separated by periods, with the rightmost character string specifying the top of the hierarchy.

(b) No person, using a computer located in this state, shall:

(1) Knowingly introduce any computer contaminant into the internet or any computer, computer system or computer network; or

1 (2) employ any equipment or software to connect to a computer,  
2 computer system or computer network by dialing telephone numbers  
3 which are produced or selected by a random or sequential number gen-  
4 erator; or

5 (3) knowingly and without permission use the internet domain name  
6 of another in connection with the sending of one or more electronic mail  
7 messages and thereby damage or cause damage to a computer, computer  
8 system or computer network.

9 (c) Any violation of subsection (b) is a severity level 10, nonperson  
10 felony. In addition to any term of imprisonment, the fine for such violation  
11 shall be not more than \$1,000,000 for each violation. An aggrieved party  
12 is not a required party in actions brought by the attorney general or a  
13 county or district attorney pursuant to this section.

14 Sec. 2. This act shall take effect and be in force from and after its  
15 publication in the statute book.

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