

HB1200_L.002

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.HB18-1200 be amended as follows:

- 1 Amend printed bill, page 2, line 19, strike "amend 18-5.5-102" and
2 substitute "18-5.5-102, amend (1) introductory portion and (3); and add
3 (1)(h), (1)(i), (1)(j), and (4)".
- 4 Page 3, strike lines 3 through 27.
- 5 Page 4, strike lines 1 through 18.
- 6 Page 4, line 19, strike "SOLICITS, ARRANGES," and substitute "SOLICITS".
- 7 Page 4, line 25, strike "MAGNETIC STRIP OR STRIPE OF A".
- 8 Page 5, line 4, strike "MAGNETIC STRIP OR STRIPE OF A".
- 9 Page 5, line 5, strike "THE MAGNETIC STRIP OR STRIPE OF".
- 10 Page 5, strike lines 11 through 27 and substitute:
11 "(3) (a) Except as provided in paragraphs ~~(b), and (c)~~ of this
12 subsection ~~(3)~~; SUBSECTIONS (3)(b), (3)(b.5), AND (3)(c) OF THIS SECTION,
13 if the loss, damage, value of services, or thing of value taken, or cost of
14 restoration or repair caused by a violation of this section is:
15 (I) ~~Less than fifty dollars, computer crime is a class 1 petty~~
16 ~~offense;~~
17 (II) ~~Fifty dollars or more but~~ Less than three hundred dollars,
18 ~~computer crime~~ CYBERCRIME is a class 3 misdemeanor;
19 (III) Three hundred dollars or more but less than seven hundred
20 fifty dollars, ~~computer crime~~ CYBERCRIME is a class 2 misdemeanor;
21 (IV) Seven hundred fifty dollars or more but less than two
22 thousand dollars, ~~computer crime~~ CYBERCRIME is a class 1 misdemeanor;
23 (V) Two thousand dollars or more but less than five thousand
24 dollars, ~~computer crime~~ CYBERCRIME is a class 6 felony;
25 (VI) Five thousand dollars or more but less than twenty thousand
26 dollars, ~~computer crime~~ CYBERCRIME is a class 5 felony;
27 (VII) Twenty thousand dollars or more but less than one hundred
28 thousand dollars, ~~computer crime~~ CYBERCRIME is a class 4 felony;
29 (VIII) One hundred thousand dollars or more but less than one
30 million dollars, ~~computer crime~~ CYBERCRIME is a class 3 felony; and
31 (IX) One million dollars or more, ~~computer crime~~ CYBERCRIME is
32 a class 2 felony.
33 (b) ~~Computer crime~~ CYBERCRIME committed in violation of
34 paragraph ~~(a)~~ of subsection ~~(1)~~ SUBSECTION (1)(a) of this section is a class

1 2 misdemeanor; except that, if the person has previously been convicted
2 under this section ~~a previous version of this section, or a statute of~~
3 ~~another state of similar content and purport, computer crime~~ OR OF ANY
4 CRIMINAL ACT COMMITTED IN ANY JURISDICTION OF THE UNITED STATES
5 WHICH, IF COMMITTED IN THIS STATE, WOULD BE A FELONY UNDER THIS
6 STATUTE, CYBERCRIME committed in violation of ~~paragraph (a) of~~
7 ~~subsection (1)~~ SUBSECTION (1)(a) of this section is a class 6 felony.

8 (b.5) CYBERCRIME COMMITTED IN VIOLATION OF SUBSECTION
9 (1)(h), (1)(i) OR (1)(j) OF THIS SECTION IS A CLASS 5 FELONY.

10 (c) (I) ~~Computer crime~~ CYBERCRIME committed in violation of
11 ~~paragraph (g) of subsection (1)~~ SUBSECTION (1)(g) of this section is a
12 class 1 misdemeanor.

13 (II) If ~~computer crime~~ CYBERCRIME is committed to obtain event
14 tickets, each ticket purchased shall constitute a separate offense.

15 (III) ~~Paragraph (g) of subsection (1)~~ SUBSECTION (1)(g) of this
16 section shall not prohibit the resale of tickets in a secondary market by a
17 person other than the event sponsor or promoter.

18 (d) Consistent with section 18-1-202, a prosecution for a violation
19 of ~~paragraph (g) of subsection (1)~~ SUBSECTION (1)(g) of this section may
20 be tried in the county where the event has been, or will be, held.

21 (4) NOTHING IN THIS SECTION PRECLUDES PUNISHMENT PURSUANT
22 TO ANY OTHER SECTION OF LAW."

23 Strike page 6.

24 Page 7, strike lines 1 through 12.

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