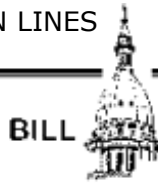




Senate Fiscal Agency
P. O. Box 30036
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BILL ANALYSIS

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Senate Bill 1024 (Substitute S-3 as reported)
Sponsor: Senator Bill Hardiman
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to delete current prohibitions against interfering with telegraph and telephone communications and establish new prohibitions against interfering with any electronic medium of communication.

The Code prohibits a person from willfully or maliciously cutting, breaking, tapping, or making any connection with any telegraph or telephone line, wire, or cable; reading or copying any message from an unlawfully cut or tapped telegraph or telephone line, wire, or cable; maliciously preventing, obstructing, or delaying the sending, conveyance, or delivery of any authorized communication by or through any telegraph or telephone line, cable, or wire under the control of any telegraph or telephone company doing business in Michigan; or willfully and maliciously aiding, agreeing with, employing, or conspiring with any other person to do any of the above. A violation is a misdemeanor punishable by up to two years' imprisonment, a maximum fine of \$1,000, or both. The bill would delete these provisions.

The bill would prohibit a person from willfully and maliciously doing any of the following:

- Cutting, breaking, disconnecting, interrupting, tapping, or making any unauthorized connection with any electronic medium of communication, including a telephone, the internet, a computer, or a computer program, system, or network.
- Reading or copying any message from any telegraph, telephone line, wire, cable, computer network, computer program, or computer system, or telephone or other electronic medium of communication that the person gained access to without authorization.
- Making unauthorized use of any electronic medium of communication.
- Preventing, obstructing, or delaying by any means the sending, conveyance, or delivery of any authorized communication, by or through any telegraph or telephone line, cable, wire, or any electronic medium of communication.

The bill would take effect on June 1, 2006, and is tie-barred to House Bill 5043, which would make identical amendments to the Penal Code and include criminal penalties, and to House Bill 5044, which would include felony violations of the bills in the sentencing guidelines.

MCL 750.540

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

Please see the **FISCAL IMPACT** on House Bill 5043 (S-1) and 5044 (S-1).

Date Completed: 2-8-06

Fiscal Analyst: Lindsay Hollander