

SUBSTITUTE FOR
SENATE BILL NO. 1024

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 540 (MCL 750.540).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 540. ~~Cutting, tapping, using, etc., telephone or~~
2 ~~telegraph wires, etc. Any person who shall wilfully and maliciously~~
3 ~~cut, break, tap or make any connection with, or read, or copy, by~~
4 ~~the use of telegraph or telephone instruments, or otherwise, in any~~
5 ~~unauthorized manner, any message, either social or business,~~
6 ~~sporting, commercial or other news reports, from any telegraph or~~
7 ~~telephone line, wire or cable so unlawfully cut or tapped in this~~
8 ~~state, or make unauthorized use of the same, or who shall wilfully~~
9 ~~and maliciously prevent, obstruct or delay by any means or~~

~~contrivance whatsoever the sending, conveyance or delivery, in this state, of any authorized communication, sporting, commercial or other news reports, by or through any telegraph or telephone line, cable or wire under the control of any telegraph or telephone company doing business in this state, or who shall wilfully and maliciously aid, agree with, employ, or conspire with any other person or persons to do any of the aforementioned unlawful acts, shall be guilty of a misdemeanor, punishable by imprisonment in the state prison not more than 2 years, or by a fine of not more than 1,000 dollars.~~

(1) A PERSON SHALL NOT WILLFULLY AND MALICIOUSLY CUT, BREAK, DISCONNECT, INTERRUPT, TAP, OR MAKE ANY UNAUTHORIZED CONNECTION WITH ANY ELECTRONIC MEDIUM OF COMMUNICATION, INCLUDING THE INTERNET OR A COMPUTER, COMPUTER PROGRAM, COMPUTER SYSTEM, OR COMPUTER NETWORK, OR A TELEPHONE.

(2) A PERSON SHALL NOT WILLFULLY AND MALICIOUSLY READ OR COPY 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 ACCESSED WITHOUT AUTHORIZATION.

(3) A PERSON SHALL NOT WILLFULLY AND MALICIOUSLY MAKE UNAUTHORIZED USE OF ANY ELECTRONIC MEDIUM OF COMMUNICATION, INCLUDING THE INTERNET OR A COMPUTER, COMPUTER PROGRAM, COMPUTER SYSTEM, OR COMPUTER NETWORK, OR TELEPHONE.

(4) A PERSON SHALL NOT WILLFULLY AND MALICIOUSLY PREVENT, OBSTRUCT, OR DELAY BY ANY MEANS THE SENDING, CONVEYANCE, OR DELIVERY OF ANY AUTHORIZED COMMUNICATION, BY OR THROUGH ANY

1 TELEGRAPH OR TELEPHONE LINE, CABLE, WIRE, OR ANY ELECTRONIC MEDIUM
2 OF COMMUNICATION, INCLUDING THE INTERNET OR A COMPUTER, COMPUTER
3 PROGRAM, COMPUTER SYSTEM, OR COMPUTER NETWORK.

4 Enacting section 1. This amendatory act takes effect June 1,
5 2006.

6 Enacting section 2. This amendatory act does not take effect
7 unless all of the following bills of the 93rd Legislature are
8 enacted into law:

9 (a) House Bill No. 5043.

10 (b) House Bill No. 5044.