

HCS HB 1397 -- COMPUTER SPYWARE

SPONSOR: Pratt

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary by a vote of 13 to 0.

This substitute establishes the Consumer Protection Against Computer Spyware Act making it illegal for an unauthorized user to intentionally modify the settings of a computer belonging to a consumer, collect personally identifiable information from the computer, prevent an authorized user's reasonable efforts to block the installation of or disable installed software, remove or disable security software installed on the computer, or take control of the consumer's computer by transmitted commercial electronic mail or a computer virus from the consumer's computer. The substitute also makes it a crime for anyone to assist or conspire with another to violate the provisions of the bill. Any violation will be a class B misdemeanor.

FISCAL NOTE: No impact on state funds in FY 2007, FY 2008, and FY 2009.

PROPOSERS: Supporters say that the bill will protect both commercial entities and individuals from computer spyware and will provide another tool for law enforcement to protect consumers. The bill also allows businesses to continue selling spyware protection software.

Testifying for the bill were Representative Pratt; and Bill Shoemeyer.

OPPOSERS: There was no opposition voiced to the committee.

Alex Curchin, Legislative Analyst