

HCS HB 1397 -- COMPUTER SPYWARE (Pratt)

COMMITTEE OF ORIGIN: Judiciary

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. A manufacturer or retailer of computer equipment will not be liable to the extent that the manufacturer or retailer is providing third-party branded software loaded on the equipment they are manufacturing or selling. The substitute also makes it a crime for anyone to assist or conspire with another to violate the provisions of the substitute. Any violation will be a class B misdemeanor.

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