Act No. 181
Public Acts of 2000
Approved by the Governor
June 20, 2000
Filed with the Secretary of State
June 20, 2000
EFFECTIVE DATE: September 18, 2000

STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000

Introduced by Reps. Jamnick, DeRossett, Howell and O'Neil

Reps. Basham, Bishop, Bogardus, Cameron Brown, Callahan, Cassis, Clarke, Dennis, Faunce, Hansen, Hart, Jacobs, Julian, Kelly, Koetje, Kukuk, LaSata, Law, Lockwood, Mans, Minore, Neumann, Pappageorge, Patterson, Rocca, Scott, Sheltrown, Shulman, Stallworth, Stamas, Toy, Van Woerkom, Vander Roest, Vaughn, Vear, Voorhees, Wojno and Woronchak named co-sponsors

ENROLLED HOUSE BILL No. 5187

AN ACT to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties," by amending section 2 (MCL 752.792), as amended by 1996 PA 326.

The People of the State of Michigan enact:

Sec. 2. (1) "Access" means to instruct, communicate with, store data in, retrieve or intercept data from, or otherwise use the resources of a computer program, computer, computer system, or computer network.

(2) "Aggregate amount" means any direct or indirect loss incurred by a victim or group of victims including, but not limited to, the value of any money, property or service lost, stolen, or rendered unrecoverable by the offense, or any actual expenditure incurred by the victim or group of victims to verify that a computer program, computer, computer system, or computer network was not altered, acquired, damaged, deleted, disrupted, or destroyed by the access. The direct or indirect losses incurred in separate incidents pursuant to a scheme or course of conduct within any 12-month period may be aggregated to determine the total value of the loss involved in the violation of this act.

(3) "Computer" means any connected, directly interoperable or interactive device, equipment, or facility that uses a computer program or other instructions to perform specific operations including logical, arithmetic, or memory functions with or on computer data or a computer program and that can store, retrieve, alter, or communicate the results of the operations to a person, computer program, computer, computer system, or computer network.

(4) "Computer network" means the interconnection of hardwire or wireless communication lines with a computer through remote terminals, or a complex consisting of 2 or more interconnected computers.

(5) "Computer program" means a series of internal or external instructions communicated in a form acceptable to a computer that directs the functioning of a computer, computer system, or computer network in a manner designed to provide or produce products or results from the computer, computer system, or computer network.

(6) "Computer system" means a set of related, connected or unconnected, computer equipment, devices, software, or hardware.

(7) "Device" includes, but is not limited to, an electronic, magnetic, electrochemical, biochemical, hydraulic, optical, or organic object that performs input, output, or storage functions by the manipulation of electronic, magnetic, or other impulses.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted.
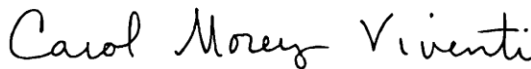
Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 90th Legislature are enacted into law:

(a) Senate Bill No. 893.

(b) Senate Bill No. 894.

(c) House Bill No. 5185.

(d) House Bill No. 5186.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved ---

Governor.