

HEALTH SCIENCE CENTER HANDBOOK OF OPERATING PROCEDURES

Chapter 5	Information Management & Services	Effective:	September 2004
Section 5.8	Information Security	Revised:	May 2011
Policy 5.8.3	Computer Crimes Law	Responsibility:	Chief Information Security Officer

COMPUTER CRIMES LAW

Policy

Under state law, [Section 33.01, Title 7, Chapter 33, Texas Penal Code](#), it is a crime to make unauthorized use of protected computer systems or data files on computers or to make intentionally harmful use of such computers or data files. The seriousness of such a crime ranges from a misdemeanor to a felony. The complete text of the computer crimes chapter of the *Penal Code* appears below.

Breach of Computer Security

- A person commits an offense if the person knowingly accesses a computer, computer network, or computer system without the effective consent of the owner.
 - An offense under this section is a Class B misdemeanor unless in committing the offense the actor knowingly obtains a benefit, defrauds or harms another, or alters, damages, or deletes property, in which event the offense is:
 1. A Class A misdemeanor if the aggregate amount involved is less than \$1,500.
 2. A state jail felony if:
 - a. The aggregate amount involved is \$1,500 or more but less than \$20,000; or,
 - b. The aggregate amount involved is less than \$1,500 and the defendant has been previously convicted two or more times of an offense under this chapter.
 3. A felony of the third degree if the aggregate amount involved is \$20,000 or more but less than \$100,000.
 - A person who is subject to prosecution under this section and any other section of this code may be prosecuted under either or both sections.
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