

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4518

STATE OF NEW JERSEY

DATED: AUGUST 24, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4518.

This bill would amend the current law concerning computer theft to specifically address the “bombing” of online video conferences or teleconferences.

Under current law, a person is guilty of computer criminal activity if, among other provisions, the person purposely or knowingly and without authorization, or in excess of authorization, accesses and recklessly alters, damages or destroys any data, data base, computer, computer storage medium, computer program, computer software, computer equipment, computer system or computer network. This bill amends the statute to include unauthorized access to, and disruption of, an online video conference or teleconference.

Currently, it is a crime of the fourth degree to violate this provision of law, except that it is a crime of the third degree if the value of the damage exceeds \$5,000. Under the bill, it would also be a crime of the third degree if the violation consists of accessing an online video conference or teleconference without authorization and posting or displaying obscene material in violation of N.J.S.2C:34-3 that is viewed by a minor under the age of 18.

A crime of the fourth degree is punishable by a term of imprisonment of up to 18 months or a fine up to \$10,000, or both; a crime of the third degree is punishable by a term of three to five years or a fine up to \$15,000, or both.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds there may be indeterminate annual expenditure increases to the Department of Law and Public Safety, the Judiciary, the Office of the Public Defender, and county prosecutors’ offices to the extent this bill results in more trials and convictions. However, the OLS lacks sufficient information to quantify the overall fiscal impact of this bill and accurately project that number of unauthorized individuals likely to access an online video conference or teleconference.

The Department of Corrections would incur increased annual costs if the bill’s provisions result in more incarcerations.