

SUBSTITUTE FOR  
HOUSE BILL NO. 5257

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding section 409b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 409B. (1) A PERSON SHALL NOT KNOWINGLY POSSESS RANSOMWARE  
2 WITH THE INTENT TO USE OR EMPLOY THAT RANSOMWARE FOR THE PURPOSE OF  
3 INTRODUCTION INTO THE COMPUTER, COMPUTER DATA, COMPUTER SYSTEM, OR  
4 COMPUTER NETWORK OF ANOTHER PERSON, WITHOUT AUTHORIZATION OF THE  
5 OTHER PERSON. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
6 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 3 YEARS.

7           (2) AS USED IN THIS SECTION, "RANSOMWARE" MEANS A COMPUTER OR  
8 DATA CONTAMINANT, ENCRYPTION, OR LOCK THAT HAS THE ABILITY TO BE  
9 PLACED OR INTRODUCED WITHOUT AUTHORIZATION INTO A COMPUTER,

1 COMPUTER SYSTEM, OR COMPUTER NETWORK AND THAT RESTRICTS ACCESS BY  
2 AN AUTHORIZED PERSON TO A COMPUTER, COMPUTER DATA, COMPUTER SYSTEM,  
3 OR COMPUTER NETWORK IN A MANNER THAT ENABLES THE PERSON RESPONSIBLE  
4 FOR THE PLACEMENT OR INTRODUCTION OF THE RANSOMWARE TO DEMAND  
5 PAYMENT OF MONEY OR OTHER CONSIDERATION TO REMOVE THE COMPUTER  
6 CONTAMINANT, RESTORE ACCESS TO THE COMPUTER, COMPUTER SYSTEM,  
7 COMPUTER NETWORK, OR DATA, OR OTHERWISE REMEDIATE THE IMPACT OF THE  
8 COMPUTER CONTAMINANT OR LOCK. RANSOMWARE DOES NOT INCLUDE  
9 AUTHENTICATION REQUIRED TO UPGRADE OR ACCESS PURCHASED CONTENT.

10 Enacting section 1. This amendatory act takes effect 90 days  
11 after the date it is enacted into law.