



General Assembly

February Session, 2006

Raised Bill No. 566

LCO No. 2618

02618 _____ GL_

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING ELECTRONIC MAIL MESSAGE PHISHING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2006*) (a) For purposes of this
2 section:

3 (1) "Electronic mail message" means a message sent to a unique
4 destination that consists of a unique user name or mailbox and a
5 reference to an Internet domain, whether or not displayed, to which
6 such message can be sent or delivered.

7 (2) "Identifying information" means specific details that can be used
8 to access a person's financial accounts or to obtain goods or services,
9 including, but not limited to, such person's Social Security number,
10 driver's license number, bank account number, credit or debit card
11 number, personal identification number, automated or electronic
12 signature, unique biometric data or account password.

13 (b) No person shall, by means of an Internet web page, electronic
14 mail message or otherwise using the Internet solicit, request or take
15 any action to induce another person to provide identifying information

16 by representing that the person, either directly or by implication, is an
17 on-line Internet business, without the authority or approval of such on-
18 line Internet business.

19 (c) The Attorney General or any person aggrieved by a violation of
20 subsection (b) of this section may file a civil action in superior court to
21 enforce the provisions of this section and to enjoin further violations of
22 this section. The Attorney General or such aggrieved person may
23 recover actual damages or twenty-five thousand dollars for each
24 violation of subsection (b) of this section.

25 (d) In a civil action under subsection (c) of this section, the court
26 may increase the damage award to an amount equal to not more than
27 three times the award provided in said subsection (c) if the court
28 determines that the defendant has engaged in a pattern and practice of
29 violating subsection (b) of this section.

30 (e) A violation of subsection (b) of this section shall be a class D
31 felony. Multiple violations resulting from a single action or act shall
32 constitute one violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	New section

Statement of Purpose:

To prevent electronic mail message phishing.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]