

**C.R.S. 18-5.5-102**

Statutes current through Chapter 52 of the 2024 Regular Session, effective as of April 4, 2024. The 2024 legislative changes are not final until compared and reconciled to the 2024 work product of the Colorado Office of Legislative Services later in 2024.

*Colorado Revised Statutes Annotated* > *Title 18. Criminal Code (Arts. 1 — 26)* > *Article 5.5. Computer Crime (§§ 18-5.5-101 — 18-5.5-102)*

**18-5.5-102. Cybercrime.**

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(1) A person commits cybercrime if the person knowingly:

- (a) Accesses a computer, computer network, or computer system or any part thereof without authorization; exceeds authorized access to a computer, computer network, or computer system or any part thereof; or uses a computer, computer network, or computer system or any part thereof without authorization or in excess of authorized access; or
- (b) Accesses any computer, computer network, or computer system, or any part thereof for the purpose of devising or executing any scheme or artifice to defraud; or
- (c) Accesses any computer, computer network, or computer system, or any part thereof to obtain, by means of false or fraudulent pretenses, representations, or promises, money; property; services; passwords or similar information through which a computer, computer network, or computer system or any part thereof may be accessed; or other thing of value; or
- (d) Accesses any computer, computer network, or computer system, or any part thereof to commit theft; or
- (e) Without authorization or in excess of authorized access alters, damages, interrupts, or causes the interruption or impairment of the proper functioning of, or causes any damage to, any computer, computer network, computer system, computer software, program, application, documentation, or data contained in such computer, computer network, or computer system or any part thereof; or
- (f) Causes the transmission of a computer program, software, information, code, data, or command by means of a computer, computer network, or computer system or any part thereof with the intent to cause damage to or to cause the interruption or impairment of the proper functioning of or that actually causes damage to or the interruption or impairment of the proper functioning of any computer, computer network, computer system, or part thereof; or
- (g) Uses or causes to be used a software application that runs automated tasks over the internet to access a computer, computer network, or computer system, or any part thereof, that circumvents or disables any electronic queues, waiting periods, or other technological measure

intended by the seller to limit the number of event tickets that may be purchased by any single person in an online event ticket sale as defined in section 6-1-720, C.R.S.; or

- (h)** Solicits or offers to arrange a situation in which a minor may engage in prostitution, by means of using a computer, computer network, computer system, or any part thereof; or
- (i)** Directly or indirectly uses a scanning device to access, read, obtain, memorize, or store, temporarily or permanently, information encoded on the payment card without the permission of the authorized user of the payment card, and with the intent to defraud the authorized user, the issuer of the authorized user's payment card, or a merchant; or
- (j)** Directly or indirectly uses an encoding machine to place information encoded on the payment card onto a different payment card without the permission of the authorized user of the payment card from which the information being reencoded was obtained, and with the intent to defraud the authorized user, the issuer of the authorized user's payment card, or a merchant.

**(2)** (Deleted by amendment, L. 2000, p. 695, § 8, effective July 1, 2000.)

**(3)**

**(a)** Except as provided in subsections (3)(b), (3)(b.5), and (3)(c) of this section, if the loss, damage, value of services, or thing of value taken, or cost of restoration or repair caused by a violation of this section is:

**(I)** (Deleted by amendment, L. 2018.)

**(II)** Less than three hundred dollars, cybercrime is a petty offense;

**(III)** Three hundred dollars or more but less than one thousand dollars, cybercrime is a class 2 misdemeanor;

**(IV)** One thousand dollars or more but less than two thousand dollars, cybercrime is a class 1 misdemeanor;

**(V)** Two thousand dollars or more but less than five thousand dollars, cybercrime is a class 6 felony;

**(VI)** Five thousand dollars or more but less than twenty thousand dollars, cybercrime is a class 5 felony;

**(VII)** Twenty thousand dollars or more but less than one hundred thousand dollars, cybercrime is a class 4 felony;

**(VIII)** One hundred thousand dollars or more but less than one million dollars, cybercrime is a class 3 felony; and

**(IX)** One million dollars or more, cybercrime is a class 2 felony.

**(b)** Cybercrime committed in violation of subsection (1)(a) of this section is a class 2 misdemeanor.

**(b.5)** Cybercrime committed in violation of subsection (1)(h), (1)(i), or (1)(j) of this section is a class 5 felony.

**(c)**

- (I)** Cybercrime committed in violation of subsection (1)(g) of this section is a class 2 misdemeanor.
- (II)** If cybercrime is committed to obtain event tickets, each ticket purchased shall constitute a separate offense.
- (III)** Subsection (1)(g) of this section shall not prohibit the resale of tickets in a secondary market by a person other than the event sponsor or promoter.
- (d)** Consistent with section 18-1-202, a prosecution for a violation of subsection (1)(g) of this section may be tried in the county where the event has been, or will be, held.
- (4)** Nothing in this section precludes punishment pursuant to any other section of law.
- (5)** Notwithstanding any other provision of this section, an individual may authorize an agent to access and process, on that individual's behalf, that individual's personal data or other information held on a computer, computer network, or computer system and that is otherwise accessible to the individual. An authorized agent remains liable for any unauthorized activity on a system under applicable unfair competition laws; the federal "Computer Fraud and Abuse Act", 18 U.S.C. sec. 1030 et seq., as amended; and other provisions of this section.

## History

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**Source:** **L. 79:**Entire article added, p. 728, § 7, effective July 1. **L. 83:**(1) amended, p. 705, § 3, effective July 1. **L. 84:**(3) amended, p. 538, § 14, effective July 1, 1985. **L. 89:**(3) amended, p. 839, § 75, effective July 1. **L. 92:**(3) amended, p. 437, § 9, effective April 10. **L. 98:**(3) amended, p. 1440, § 18, effective July 1; (3) amended, p. 797, § 12, effective July 1. **L. 2000:**Entire section amended, p. 695, § 8, effective July 1. **L. 2007:**(3)(a) amended, p. 1696, § 14, effective July 1. **L. 2008:**(1)(g), (3)(c), and (3)(d) added and (3)(a) amended, p. 2230, §§ 3, 4, effective July 1. **L. 2014:**(3)(a) amended,(HB 14-1266), ch. 155, p. 539, § 5, effective August 6. **L. 2018:**IP(1) and (3) amended and (1)(h), (1)(i), (1)(j), and (4) added,(HB 18-1200), ch. 379, p. 2290, § 2, effective August 8. **L. 2021:**(3)(a)(II), (3)(a)(III), (3)(a)(IV), and (3)(c)(I) amended,(SB 21-271), ch. 462, p. 3191, § 256, effective March 1, 2022. **L. 2022:**(5) added,(SB 22-113), ch. 463, p. 3294, § 7, effective August 10. **L. 2023:**(3)(b) amended,(HB 23-1293), ch. 298, p. 1787, § 24, effective October 1.