

HOUSE BILL NO. HB0008

Digital expression protection.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to digital expression; providing limitations
2 on criminal liability for digital expression as specified;
3 and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 6-1-205 is created to read:

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9 **6-1-205. Limitations on criminal liability for digital**
10 **expression.**

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12 (a) A digital expression that does not otherwise
13 constitute a crime or subject the person responsible for
14 creating the digital expression to criminal liability under
15 the Wyoming Criminal Code shall not serve as the sole basis

1 for any criminal liability based on the use of that digital
2 expression by another person.

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4 (b) Hosting or storing a digital expression on a
5 computer, computer network or computer system in Wyoming in
6 a manner that does not otherwise constitute a crime or subject
7 the person hosting or storing the digital expression to
8 criminal liability under the Wyoming Criminal Code shall not
9 serve as the sole basis for any criminal liability based on
10 the use of that digital expression by another person.

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12 (c) Nothing in this section shall be construed to limit
13 or prohibit liability for criminal activity merely because
14 the conduct was in part initiated or carried out by means of
15 a digital expression.

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17 (d) As used in this section:

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19 (i) "Digital expression" means an expression that
20 is communicated through source code or a computer program;

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22 (ii) "Computer" means as defined in W.S.

23 6-3-501(a)(ii);

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2 (iii) "Computer network" means as defined in W.S.
3 6-3-501(a)(iii);

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5 (iv) "Computer program" means as defined in W.S.
6 6-3-501(a)(iv);

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8 (v) "Computer software" mean as defined by W.S.
9 6-3-501(a)(v);

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11 (vi) "Computer system" means as defined in W.S.
12 6-3-501(a)(vi);

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14 (vii) "Source code" means any form of work used to
15 create or modify a computer program. "Source code" includes:

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17 (A) Instructions and statements expressed in
18 a computer programming language;

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20 (B) Computer programming comments, notes and
21 memoranda;

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1 (C) Design documents and functional
2 specifications for a computer program.

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4 **Section 2.** This act is effective immediately upon
5 completion of all acts necessary for a bill to become law as
6 provided by Article 4, Section 8 of the Wyoming Constitution.

7

8

(END)