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**Breach of Computer Security:**

- (A) Sec. 33.02. BREACH OF COMPUTER SECURITY. (a) A person commits an offense if the person knowingly accesses a computer, computer network, or computer system without the effective consent of the owner.
- (B) (b) An offense under this section is a Class B misdemeanor unless in committing the offense the actor knowingly obtains a benefit, defrauds or harms another, or alters, damages, or deletes property, in which event the offense is:
  - (C) (1) a Class A misdemeanor if the aggregate amount involved is less than \$1,500;
  - (D) (2) a state jail felony if:
    - (E) (A) the aggregate amount involved is \$1,500 or more but less than \$20,000; or
    - (F) (B) the aggregate amount involved is less than \$1,500 and the defendant has been previously convicted two or more times of an offense under this chapter;
  - (G) (3) a felony of the third degree if the aggregate amount involved is \$20,000 or more but less than \$100,000;
  - (H) (4) a felony of the second degree if the aggregate amount involved is \$100,000 or more but less than \$200,000; or
  - (I) (5) a felony of the first degree if the aggregate amount involved is \$200,000 or more.
- (J) (c) When benefits are obtained, a victim is defrauded or harmed, or property is altered, damaged, or deleted in violation of this section, whether or not in a single incident, the conduct may be considered as one offense and the value of the benefits obtained and of the losses incurred because of the fraud, harm, or alteration, damage, or deletion of property may be aggregated in determining the grade of the offense.
- (K) (d) A person who his subject to prosecution under this section and any other section of this code may be prosecuted under either or both sections.