

12.12 UNAUTHORIZED DISRUPTION OF A SERVICE DELIVERED BY A CRITICAL INFRASTRUCTURE

§ 812.141(5)(b), Fla. Stat.

To prove the crime of Unauthorized Disruption of a Service Delivered by a Critical Infrastructure the State must prove the following two elements beyond a reasonable doubt:

Give as applicable.

1. (Defendant) **willfully, knowingly, and without authorization,**
 - a. **physically tampered with a(n) [computer] [computer system] [computer network] [electronic device].**
 - b. **inserted a computer contaminant into a(n) [computer] [computer system] [computer network] [electronic device].**
 - c. **transmitted commands or electronic communications to a(n) [computer] [computer system] [computer network] [electronic device].**
2. (Defendant's) **actions caused a disruption in any service delivered by a critical infrastructure.**

“Willfully” means knowingly, intentionally and purposely.

“Critical infrastructure” means (insert relevant definition from § 812.141, Fla. Stat.).

*§ 815.03, Fla. Stat.**

“Computer contaminant” means any set of computer instructions designed to modify, damage, destroy, record, or transmit information within a computer, computer system, or computer network without the intent or permission of the owner of the information. The term includes, but is not limited to, a group of computer instructions, commonly called viruses or worms, which are self-replicating or self-propagating and which are designed to contaminate other computer programs or computer data; consume computer resources; modify, destroy, record, or transmit data; or in some other fashion usurp or interfere with the normal operation of the computer, computer system, or computer network.

“Computer” means an internally programmed, automatic device that performs data processing.

“Computer network” means a system that provides a medium for communication between one or more computer systems or electronic devices, including communication with an input or output device such as a display terminal, printer, or other electronic equipment that is connected to the

computer systems or electronic devices by physical or wireless telecommunication facilities.

Computer system” means a device or collection of devices, including support devices, one or more of which contain computer programs, electronic instructions, or input data and output data, and which perform functions, including, but not limited to, logic, arithmetic, data storage, retrieval, communication, or control. The term does not include calculators that are not programmable and that are not capable of being used in conjunction with external files.

“Electronic device” means a device or a portion of a device that is designed for and capable of communicating across a computer network with other computers or devices for the purpose of transmitting, receiving, or storing data, including, but not limited to, a cellular telephone, tablet, or other portable device designed for and capable of communicating with or across a computer network and that is actually used for such purpose.

Lesser Included Offense

UNAUTHORIZED DISRUPTION OF A SERVICE DELIVERED BY CRITICAL INFRASTRUCTURE — 812.141(5)(b)			
CATEGORY ONE	CATEGORY TWO	FLA. STAT.	INS. NO.
None			
	Attempt	806.13	12.4

Comments

*As of June 2025, it was undetermined whether the definition of “computer contaminant” in § 815.03, Fla. Stat., should be used in this Chapter 812 crime.

This instruction was adopted on June 27, 2025.