April 16, 2018

Dear Governor Deal:

We, the undersigned, write as individuals who research, teach, and work in the area of cybersecurity at Georgia Tech. The statements here are not meant to represent an official position of the Georgia Institute of Technology. Based on our experience in cybersecurity, and our review of SB 315, we recommend that you veto the bill.

Among the many concerns that have been raised about the bill, we mention the following:

1.   **Vagueness and Overbreadth.** As written, the bill appears to criminalize violation of a website's terms of service. Such criminalization is over-broad – even an accidental click on a website may violate the terms of service. In addition, such criminalization creates an incentive for websites to draft narrow terms of service, reducing the rights of users and making any violation subject to criminal prosecution.
2.   **Process for consideration of the bill.** The bill proceeded rapidly through the legislature, without an adequate opportunity for hearings and mark-up to clarify and fix the known problems with the bill language.
3.   **Effects on cybersecurity research in Georgia.** Based on our daily work in cybersecurity research, we have serious concerns that the bill would criminalize widespread and beneficial cybersecurity research, such as Internet scanning for security research and beneficial reverse engineering.
4.   **Effects on the cybersecurity industry in Georgia**. Based on our experience, the vagueness and overbreadth of SB315 would create a chilling effect on cybersecurity investment and operations in Georgia.

In sum, the rationale for SB 315 has not been clearly and publicly presented. By contrast, the bill as drafted raises the serious concerns discussed here. To the extent that any revision in this area of law is appropriate, there should be far greater public deliberation before a law is enacted, to assess the numerous considerations at stake.

To avoid these serious problems, we recommend that you veto SB 315.

Signed (as individuals, with affiliation for identification purposes only):

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