

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 1171*

Short Title: Noncommercial "Spam" Illegal.

(Public)

Sponsors: Senator Reeves.

Referred to: Information Technology.

June 5, 2002

1 A BILL TO BE ENTITLED
2 AN ACT MAKING IT A MISDEMEANOR TO SEND CERTAIN UNSOLICITED
3 ELECTRONIC MAIL TRANSMISSIONS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 14-458(a) reads as rewritten:

6 "(a) Except as otherwise made unlawful by this Article, it shall be unlawful for
7 any person to use a computer or computer network without authority and with the intent
8 to do any of the following:

- 9 (1) Temporarily or permanently remove, halt, or otherwise disable any
10 computer data, computer programs, or computer software from a
11 computer or computer network.
- 12 (2) Cause a computer to malfunction, regardless of how long the
13 malfunction persists.
- 14 (3) Alter or erase any computer data, computer programs, or computer
15 software.
- 16 (4) Cause physical injury to the property of another.
- 17 (5) Make or cause to be made an unauthorized copy, in any form,
18 including, but not limited to, any printed or electronic form of
19 computer data, computer programs, or computer software residing in,
20 communicated by, or produced by a computer or computer network.
- 21 (6) Falsely identify with the intent to deceive or defraud the recipient or
22 forge commercial electronic mail transmission information or other
23 routing information in any manner in connection with the transmission
24 of unsolicited bulk commercial electronic mail through or into the
25 computer network of an electronic mail service provider or its
26 subscribers.
- 27 (7) Falsely identify with the intent to deceive or defraud the recipient or
28 forge electronic mail transmission information or other routing
29 information in any manner in connection with the transmission of

1 unsolicited electronic mail through or into the computer network of an
2 electronic mail service provider or its subscribers."

3 **SECTION 2.** This act becomes effective December 1, 2002, and applies to
4 offenses committed on or after that date.