

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1497*

Short Title: Noncommercial "Spam" Illegal. (Public)

Sponsors: Representative Tolson.

Referred to: Judiciary III.

June 3, 2002

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

The General Assembly of North Carolina enacts:

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

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

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