

45-6-310, MCA

Current through all 2023 legislation, inclusive of the final Chapter 783 of the 68th Legislature's concluded Regular session.

LexisNexis® Montana Code Annotated > Title 45 Crimes (Chs. 1 — 10) > Chapter 6 Offenses Against Property (Pts. 1 — 3) > Part 3 Theft and Related Offenses (§§ 45-6-301 — 45-6-345)

45-6-310 Definitions — computer use.

As used in 45-6-311 and this section, the following definitions apply:

- (1) “Access” means to approach, instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, computer system, computer network, or electronic device.
- (2) “Authorization” means a process ensuring that correctly authenticated users can access only those resources for which the owner of the resource has given the users explicit permission.
- (3) “Computer” means an electronic device used to create, receive, transmit, store, or process data of any kind, or to run programs stored on hardware or software, and includes any device attached physically or connected intangibly to the computer.
- (4) “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, that are self-replicating or self-propagating and that 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.
- (5) “Computer credential” means:
 - (a) a password, token code, or other means of limiting access; or
 - (b) an account, address, username, handle, avatar, or other digital representation of a person.
- (6) “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 any other electronic equipment that is connected to the computer systems or electronic devices by physical or wireless technologies.
- (7) “Computer system” means a device or collection of devices, including support or peripheral 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, data retrieval, data processing, communication, or control.

- (8) “Data” means a representation of information, knowledge, facts, concepts, computer software, computer programs, or instructions. Data may be in any form, in storage media or stored in the memory of the computer, or in transit or presented on a display device.
- (9) “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 that purpose.
- (10) “Encrypt” means the use of any process of data encryption including but not limited to cryptography, enciphering, or encoding of data, programs, information, image, signal, sound, computer, computer networks, or other electronic devices.
- (11) “Obtain the use of” means to instruct, communicate with, store data in, retrieve data from, cause input to, cause output from, or otherwise make use of any resources of a computer, computer system, or computer network or to cause another to instruct, communicate with, store data in, retrieve data from, cause input to, cause output from, or otherwise make use of any resources of a computer, computer system, or computer network.
- (12) “Trade secret” has the meaning provided in 30-14-402.

History

En. Sec. 2, Ch. 485, L. 1981; § 1, Ch. 247, L. 2023, effective October 1, 2023.

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