

## O.C.G.A. § 16-9-156

Current with Chapters 354 through 374 of the 2024 Regular Session of the General Assembly. The Statutes do not reflect possible future codification directives from the Revisor of Statutes pursuant to Code Section 28-9-5. Additionally, the Statutes may be affected by prior or subsequent legislative enactment, revision, or executive action.

*Official Code of Georgia Annotated > TITLE 16 Crimes and Offenses (Chs. 1 — 17) > CHAPTER 9 Forgery and Fraudulent Practices (Arts. 1 — 9) > Article 9 Computer Security (§§ 16-9-150 — 16-9-157)*

### 16-9-156. Exceptions.

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- (a) For the purposes of this Code section, the term “employer” includes a business entity’s officers, directors, parent corporation, subsidiaries, affiliates, and other corporate entities under common ownership or control within a business enterprise. No employer may be held criminally or civilly liable under this article as a result of any actions taken:
- (1) With respect to computer equipment used by its employees, contractors, subcontractors, agents, leased employees, or other staff which the employer owns, leases, or otherwise makes available or allows to be connected to the employer’s network or other computer facilities; or
  - (2) By employees, contractors, subcontractors, agents, leased employees, or other staff who misuse an employer’s computer equipment for an illegal purpose without the employer’s knowledge, consent, or approval.
- (b) No person shall be held criminally or civilly liable under this article when its protected computers have been used by unauthorized users to violate this article or other laws without such person’s knowledge, consent, or approval.
- (c) A manufacturer or retailer of computer equipment shall not be liable under this Code section, criminally or civilly, to the extent that the manufacturer or retailer is providing third-party branded software that is installed on the computer equipment that the manufacturer or retailer is manufacturing or selling.

### History

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Code 1981, § 16-9-156, enacted by Ga. L. 2005, p. 1241, § 1/SB 127.

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