

N.J. Stat. § 2C:20-23

Current through New Jersey 220th Second Annual Session, L. 2023, c. 280 and J.R. 18

LexisNexis® New Jersey Annotated Statutes > Title 2C. The New Jersey Code of Criminal Justice (Subts. 1 — 3) > Subtitle 2. Specific Offenses (Pts. 1 — 6) > Part 2. Offenses Against Property (Chs. 17 — 23) > Chapter 20. Theft (§§ 2C:20-1 — 2C:20-39) > II. Computer-Related Crimes (§§ 2C:20-23 — 2C:20-34)

§ 2C:20-23. Definitions

As used in this act:

- a. “Access” means to instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, computer storage medium, computer system, or computer network.
- b. “Computer” means an electronic, magnetic, optical, electrochemical or other high speed data processing device or another similar device capable of executing a computer program, including arithmetic, logic, memory, data storage or input-output operations and includes all computer equipment connected to such a device, computer system or computer network, but shall not include an automated typewriter or typesetter or a portable, hand-held calculator.
- c. “Computer equipment” means any equipment or devices, including all input, output, processing, storage, software, or communications facilities, intended to interface with the computer.
- d. “Computer network” means the interconnection of communication lines, including microwave or other means of electronic communications, with a computer through remote terminals, or a complex consisting of two or more interconnected computers, and shall include the Internet.
- e. “Computer program” means a series of instructions or statements executable on a computer, which directs the computer system in a manner to produce a desired result.
- f. “Computer software” means a set of computer programs, data, procedures, and associated documentation concerned with the operation of a computer system.
- g. “Computer system” means a set of interconnected computer equipment intended to operate as a cohesive system.
- h. “Data” means information, facts, concepts, or instructions contained in a computer, computer storage medium, computer system, or computer network. It shall also include, but not be limited to, any alphanumeric, hexadecimal, octal or binary code.
- i. “Data base” means a collection of data.

- j.** “Financial instrument” includes but is not limited to a check, draft, warrant, money order, note, certificate of deposit, letter of credit, bill of exchange, credit or debit card, transaction authorization mechanism, marketable security and any computer representation of these items.
- k.** “Services” includes but is not limited to the use of a computer system, computer network, computer programs, data prepared for computer use and data contained within a computer system or computer network.
- l.** “Personal identifying information” shall have the meaning set forth in subsection a. of N.J.S. 2C:21-17, and shall also include passwords and other codes that permit access to any data, data base, computer, computer storage medium, computer program, computer software, computer equipment, computer system or computer network, where access is intended to be secure, restricted or limited.
- m.** “Internet” means the international computer network of both federal and non-federal interoperable packet switched data networks.
- n.** “Alter,” “damage” or “destroy” shall include, but not be limited to, any change or impairment to the integrity or availability of any data or other information, data base, computer program, computer software, computer equipment, computer, computer storage medium, computer system, or computer network by any means including introduction of a computer contaminant.
- o.** “User of computer services” shall include, but not be limited to, any person, business, computer, computer network, computer system, computer equipment or any other device which makes use of any resources of a computer, computer network, computer system, computer storage medium, computer equipment, data or data base.
- p.** “Computer contaminant” means any set of computer instructions that are designed to alter, damage, destroy, record or transmit information within a computer, computer system or computer network without the authorization of the owner of the information. They include, but are not limited to, a group of computer instructions commonly called viruses or worms, that are self-replicating or self-propagating and are designed to contaminate other computer programs or computer data, consume computer resources, alter, damage, destroy, record or transmit data or in some other fashion usurp the normal operation of the computer, computer program, computer operations, computer services or computer network.
- q.** “Authorization” means permission, authority or consent given by a person who possesses lawful authority to grant such permission, authority or consent to another person to access, operate, use, obtain, take, copy, alter, damage or destroy a computer, computer network, computer system, computer equipment, computer software, computer program, computer storage medium, or data. An actor has authorization if a reasonable person would believe that the act was authorized.

History

L. 1984, c. 184, § 2; amended 2003, c. 39, § 1, eff. Apr. 14, 2003.

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