

La. R.S. § 51:2007

Current through the 2024 First Extraordinary Session and Act 22 of the Second Extraordinary Session.
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*LexisNexis® Louisiana Annotated Statutes > Louisiana Revised Statutes > Title 51. Trade and commerce
(Chs. 1 — 65) > Chapter 30-A. Computer spyware (§§ 51:2006 — 51:2014)*

§ 51:2007. Definitions.

As used in this Chapter:

- (1) “Authorized user” means with respect to a computer, a person who owns or is authorized by the owner or lessee to use the computer.
- (2) “Cause computer software to be copied” means to distribute, transfer, or procure the copying of computer software or any component thereof. The term shall not include the following:
 - (a) Transmission, routing, provision of intermediate temporary storage, or caching of software.
 - (b) A storage or hosting medium, such as a compact disc, Internet web site, or computer server, through which the software was distributed by a third party.
 - (c) An information location tool, such as a directory, index, reference, pointer, or hypertext link, through which the user of the computer located the software.
- (3) “Communications provider” means an entity providing communications networks or services that enable consumers to access the Internet or destinations on the public switched telephone network via a computer modem. This term shall include cable service providers that also provide telephone services and providers of Voice over Internet Protocol services.
- (4) “Computer software” means a sequence of instructions written in any programming language that is executed on a computer. The term shall not include a text or data file, an Internet web site, or a data component of an Internet web site that is not executable independently of the Internet web site.
- (5) “Computer virus” means a computer program or other set of instructions that is designed to degrade the performance of or disable a computer or computer network and is designed to have the ability to replicate itself on other computers or computer networks without the authorization of the owners of those computers or computer networks.
- (6) “Damage” means any material impairment to the integrity, functionality, or availability of data, software, a computer, a system, or information.
- (7) “Deceptive” or “deception” means the following:

- (a) An intentionally and materially false or fraudulent statement.
 - (b) A statement or description that intentionally omits or misrepresents material information in order to deceive the authorized user.
 - (c) An intentional and material failure to provide any notice to an authorized user regarding the download or installation of software in order to deceive the authorized user.
- (8) “Execute” means with respect to computer software, the performance of the functions or the carrying out of the instructions of the computer software.
- (9) “Internet” means the global information system that is logically linked together by a globally unique address space based on the Internet Protocol (IP), or its subsequent extensions, and that is able to support communications using the Transmission Control Protocol/Internet Protocol (TCP/IP) suite, or its subsequent extensions, or other IP-compatible protocols, and that provides, uses, or makes accessible, either publicly or privately, high-level services layered on the communications and related infrastructure described in this Chapter.
- (10) “Message” means a graphical or text communication presented to an authorized user of a computer other than communications originated and sent by the computer’s operating system or communications presented for any of the purposes described in R.S. 51:2011.
- (11) “Personally identifiable information” means any of the following:
- (a) First name or first initial in combination with last name.
 - (b) Credit or debit card numbers or other financial account numbers.
 - (c) A password or personal identification number required to access an identified financial account other than a password, personal identification number, or other identification number transmitted by an authorized user to the issuer of the account or its agent.
 - (d) Social Security number.
 - (e) Any of the following information in a form that personally identifies an authorized user:
 - (i) Account balances.
 - (ii) Overdraft history.
 - (iii) Payment history.
 - (iv) A history of Internet web sites visited.
 - (v) Home address.
 - (vi) Work address.
 - (vii) A record of a purchase or purchases.
- (12) “Procure the copying” means to pay or provide other consideration to or induce another person to cause software to be copied onto a computer.

History

La. R.S. § 51:2007

Acts 2006, No. 392, § 1, eff. Aug. 15, 2006.

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