

## **Nev. Rev. Stat. Ann. § 205.477**

This document is current through the end of legislation from the 82nd Regular Session (2023). This document incorporates revisions received from the Legislative Counsel Bureau for NRS Chapters 1 to 220. This document is current through the end of legislation from the 34th and 35th Special Sessions (2023), subject to revision by the Legislative Counsel Bureau.

*Nevada Revised Statutes Annotated > Title 15. Crimes and Punishments. (Chs. 193 — 207) > Chapter 205. Crimes Against Property. (§§ 205.005 — 205.980) > Unlawful Acts Regarding Computers and Information Services (§§ 205.473 — 205.513)*

### **205.477. Unlawful acts relating to interference with or denial of access to or use of computers, systems, networks, telecommunication devices, telecommunications devices, services or information services; penalties; affirmative defense.**

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1. Except as otherwise provided in subsections 3 and 4, a person who knowingly, willfully, maliciously and without authorization interferes with, denies or causes the denial of access to or use of a computer, system or network to a person who has the duty and right to use it is guilty of a gross misdemeanor.
2. Except as otherwise provided in subsections 3 and 4, a person who knowingly, willfully, maliciously and without authorization uses, causes the use of, accesses, attempts to gain access to or causes access to be gained to a computer, system, network, telecommunications device, telecommunications service or information service is guilty of a gross misdemeanor.
3. If the violation of any provision of this section:
  - (a) Was committed to devise or execute a scheme to defraud or illegally obtain property;
  - (b) Caused response costs, loss, injury or other damage in excess of \$500; or
  - (c) Caused an interruption or impairment of a public service, including, without limitation, a governmental operation, a system of public communication or transportation or a supply of water, gas or electricity,the person is guilty of a category C felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$100,000. In addition to any other penalty, the court shall order the person to pay restitution.
4. It is an affirmative defense to a charge made pursuant to this section that at the time of the alleged offense the defendant reasonably believed that:
  - (a) The defendant was authorized to use or access the computer, system, network, telecommunications device, telecommunications service or information service and such use or access by the defendant was within the scope of that authorization; or

(b) The owner or other person authorized to give consent would authorize the defendant to use or access the computer, system, network, telecommunications device, telecommunications service or information service.

5. A defendant who intends to offer an affirmative defense described in subsection 4 at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent.

## History

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1983, p. 1204; 1991, ch. 23, § 8, p. 51; 1995, ch. 443, § 156, p. 1229; 1999, ch. 530, § 29, p. 2709; 2001, ch. 274, § 6, p. 1242; 2011, ch. 524, § 1, p. 3650.

Nevada Revised Statutes Annotated  
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