

**A.C.A. § 5-41-203**

Current through all legislation of the 2023 Regular Session and the 2023 First Extraordinary Session.

*AR - Arkansas Code Annotated > Title 5 Criminal Offenses > Subtitle 4. Offenses Against Property > Chapter 41 Computers, Computer Systems, and Networks > Subchapter 2 — Computers and Networks*

**5-41-203. Unlawful interference with access to computers — Unlawful use or access to computers.**

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(a)

(1) A person commits unlawful interference with access to computers if the person knowingly 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 the computer, system, or network.

(2) Unlawful interference with access to computers is a Class A misdemeanor.

(b)

(1) A person commits unlawful use or access to computers if the person knowingly 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.

(2) Unlawful use or access to computers is a Class A misdemeanor.

(c) If the violation of subsection (a) or (b) of this section was committed to devise or execute a scheme to defraud or illegally obtain property, the person is guilty of a Class C felony.

(d)

(1) It is an affirmative defense to a charge made pursuant to this section that at the time of the alleged offense the person reasonably believed that:

(A) The person was authorized to use or access the computer, system, network, telecommunications device, telecommunications service, or information service and the use or access by the person was within the scope of that authorization; or

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

(2) A person who intends to offer an affirmative defense provided in subdivision (d)(1) of this section at a trial or preliminary hearing shall file and serve on the prosecuting attorney a notice of that intent not less than fourteen (14) calendar days before the trial or hearing or at such other time as the court may direct.

**History**

Acts 2001, No. 1496, § 2.

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