

Tex. Bus. & Com. Code § 324.052

This document is current through the 2023 Regular Session; the 1st C.S.; the 2nd C.S.; the 3rd C.S. and the 4th C.S. of the 88th Legislature; and the November 7, 2023 general election results.

Texas Statutes & Codes Annotated by LexisNexis® > Business and Commerce Code > Title 10 Use of Telecommunications (Subts. A — B) > Subtitle B Electronic Communications (Chs. 321 — 328) > Chapter 324 Consumer Protection Against Computer Spyware (Subchs. A — C) > Subchapter B Prohibited Conduct or Activities (§§ 324.051 — 324.055)

Sec. 324.052. Unauthorized Access to or Modifications of Computer Settings; Computer Damage.

A person other than the owner or operator of the computer may not knowingly cause computer software to be copied to a computer in this state and use the software to:

- (1) modify, through intentionally deceptive means, a setting that controls:
 - (A) the page that appears when an Internet browser or a similar software program is launched to access and navigate the Internet;
 - (B) the default provider or web proxy used to access or search the Internet; or
 - (C) a list of bookmarks used to access web pages;
- (2) take control of the computer by:
 - (A) accessing or using the computer's modem or Internet service to:
 - (i) cause damage to the computer;
 - (ii) cause the owner or operator of the computer to incur financial charges for a service the owner or operator did not previously authorize; or
 - (iii) cause a third party affected by the conduct to incur financial charges for a service the third party did not previously authorize; or
 - (B) opening, without the consent of the owner or operator of the computer, an advertisement that:
 - (i) is in the owner's or operator's Internet browser in a multiple, sequential, or stand-alone form; and
 - (ii) cannot be closed by an ordinarily reasonable person using the computer without closing the browser or shutting down the computer;
- (3) modify settings on the computer that relate to access to or use of the Internet and protection of information for purposes of stealing personally identifiable information of the owner or operator of the computer; or

(4) modify security settings on the computer relating to access to or use of the Internet for purposes of causing damage to one or more computers.

History

Enacted by Acts 2007, 80th Leg., ch. 885 (H.B. 2278), § 2.01, effective April 1, 2009.

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