

N.C. Gen. Stat. § 14-453

Current through Session Laws 2024-2 of the 2024 Regular Session of the General Assembly, but does not reflect possible future codification directives from the Revisor of Statutes pursuant to G.S. 164-10.

General Statutes of North Carolina > Chapter 14. Criminal Law. (Subchs. I — XI) > Subchapter XI. General Police Regulations. (Arts. 37 — 61) > Article 60. Computer-Related Crime. (§§ 14-453 — 14-459)

§ 14-453. Definitions.

As used in this Article, unless the context clearly requires otherwise, the following terms have the meanings specified:

- (1) “Access” means to instruct, communicate with, cause input, cause output, cause data processing, or otherwise make use of any resources of a computer, computer system, or computer network.
- (1a) “Authorization” means having the consent or permission of the owner, or of the person licensed or authorized by the owner to grant consent or permission to access a computer, computer system, or computer network in a manner not exceeding the consent or permission.
- (1b) “Commercial electronic mail” means messages sent and received electronically consisting of commercial advertising material, the principal purpose of which is to promote the for-profit sale or lease of goods or services to the recipient.
- (2) “Computer” means an internally programmed, automatic device that performs data processing or telephone switching.
- (3) “Computer network” means the interconnection of communication systems with a computer through remote terminals, or a complex consisting of two or more interconnected computers or telephone switching equipment.
- (4) “Computer program” means an ordered set of data that are coded instructions or statements that when executed by a computer cause the computer to process data.
- (4a) “Computer services” means computer time or services, including data processing services, Internet services, electronic mail services, electronic message services, or information or data stored in connection with any of these services.
- (5) “Computer software” means a set of computer programs, procedures and associated documentation concerned with the operation of a computer, computer system, or computer network.
- (6) “Computer system” means at least one computer together with a set of related, connected, or unconnected peripheral devices.

(6a) “Data” means a representation of information, facts, knowledge, concepts, or instructions prepared in a formalized or other manner and intended for use in a computer, computer system, or computer network. Data may be embodied in any form including computer printouts, magnetic storage media, optical storage media, and punch cards, or may be stored internally in the memory of a computer.

(6b) “Electronic mail” means the same as the term is defined in G.S. 14-196.3(a)(2).

(6c) “Electronic mail service provider” means any person who (i) is an intermediary in sending or receiving electronic mail and (ii) provides to end users of electronic mail services the ability to send or receive electronic mail.

(7) “Financial instrument” includes any check, draft, money order, certificate of deposit, letter of credit, bill of exchange, credit card or marketable security, or any electronic data processing representation thereof.

(7a) “Government computer” means any computer, computer program, computer system, computer network, or any part thereof, that is owned, operated, or used by any State or local governmental entity.

(7b) “Internet chat room” means a computer service allowing two or more users to communicate with each other in real time.

(7c) “Profile” means (i) a configuration of user data required by a computer so that the user may access programs or services and have the desired functionality on that computer or (ii) a Web site user’s personal page or section of a page made up of data, in text or graphical form, which displays significant, unique, or identifying information, including, but not limited to, listing acquaintances, interests, associations, activities, or personal statements.

(8) “Property” includes financial instruments, information, including electronically processed or produced data, and computer software and computer programs in either machine or human readable form, and any other tangible or intangible item of value.

(8a) “Resource” includes peripheral devices, computer software, computer programs, and data, and means to be a part of a computer, computer system, or computer network.

(9) “Services” includes computer time, data processing and storage functions.

(10) “Unsolicited” means not addressed to a recipient with whom the initiator has an existing business or personal relationship and not sent at the request of, or with the express consent of, the recipient.

History

1979, c. 831, s. 1; 1993 (Reg. Sess., 1994), c. 764, s. 1; 1999-212, s. 2; 2000-125, s. 3; 2002-157, s. 1; 2009-551, s. 2; 2012-149, s. 2.

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