# **Iowa Code § 715.3**

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***LexisNexis® Iowa Annotated Statutes*  > *Title XVI Criminal Law and Procedure (Subts. 1 — 3)* > *Subtitle 1 Crime Control and Criminal Acts (Chs. 687 TO 689 — 733 TO 747)* > *Chapter 715 Computer Spyware and Malware Protection (Subchs. II — III)* > *Subchapter I Intent and Definitions (§§ 715.1 — 715.3)***

**715.3 Definitions.**

For purposes of this chapter, unless the context otherwise requires:

**1.** “Advertisement” means a communication, the primary purpose of which is the commercial promotion of a commercial product or service, including content on an internet site operated for a commercial purpose.

**2.** “Computer control language” means ordered statements that direct a computer to perform specific functions.

**3.** “Computer database” means a representation of information, knowledge, facts, concepts, or instructions that is intended for use in a computer, computer system, or computer network that is being prepared or has been prepared in a formalized manner, or is being produced or has been produced by a computer, computer system, or computer network.

**4.** “Computer software” means a sequence of instructions written in any programming language that is executed on a computer. “Computer software” does not include computer software that is an internet site or data components of an internet site that are not executable independently of the internet site.

**5.** “Damage” means any significant impairment to the integrity or availability of data, software, a system, or information.

**6.** “Execute”, when used with respect to computer software, means the performance of the functions or the carrying out of the instructions of the computer software.

**7.** “Intentionally deceptive” means any of 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 an owner or operator of a computer.

**c.** An intentional and material failure to provide a notice to an owner or operator regarding the installation or execution of computer software for the purpose of deceiving the owner or operator.

**8.** “Internet” means the same as defined in section 4.1.

**9.** “Owner or operator” means the owner or lessee of a computer, or a person using such computer with the owner or lessee’s authorization, but does not include a person who owned a computer prior to the first retail sale of the computer.

**10.** “Person” means the same as defined in section 4.1.

**11.** “Personally identifiable information” means any of the following information with respect to the owner or operator of a computer:

**a.** The first name or first initial in combination with the last name.

**b.** A home or other physical address including street name.

**c.** An electronic mail address.

**d.** Credit or debit card number, bank account number, or any password or access code associated with a credit or debit card or bank account.

**e.** Social security number, tax identification number, driver’s license number, passport number, or any other government-issued identification number.

**f.** Account balance, overdraft history, or payment history that personally identifies an owner or operator of a computer.

**12.** “Ransomware” means a computer or data contaminant, encryption, or lock that is placed or introduced without authorization into a computer, computer network, or computer system that restricts access by an authorized person to a computer, computer data, a computer system, or a computer network in a manner that results in the person responsible for the placement or introduction of the contaminant, encryption, or lock making a demand for payment of money or other consideration to remove the contaminant, encryption, or lock.

**13.** “Transmit” means to transfer, send, or make available computer software using the internet or any other medium, including local area networks of computers other than a wireless transmission, and a disc or other data storage device. “Transmit” does not include an action by a person providing any of the following:

**a.** An internet connection, telephone connection, or other means of transmission capability such as a compact disc or digital video disc through which the computer software was made available.

**b.** The storage or hosting of the computer software program or an internet site through which the software was made available.

**c.** An information location tool, such as a directory, index, reference, pointer, or hypertext link, through which the user of the computer located the computer software, unless the person transmitting receives a direct economic benefit from the execution of such software on the computer.

**History**

2005 Acts, ch 94, § 3; 2013 Acts, ch 90, § 190, 191, 257; 2023 H.F. 143, § 2, effective July 1, 2023.

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