

March 8, 1999

**S 288. UNSOLICITED ELECTRONIC BULK MAIL. TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERS OF UNSOLICITED ELECTRONIC BULK MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK MAIL UNLAWFUL IN THIS STATE.** Amends GS 1-75.4 to extend personal jurisdiction of NC courts to persons transmitting or causing transmission of unsolicited bulk electronic mail to or through electronic mail service provider's computer network located in NC. Adds new GS 14-457 defining computer trespass. Prohibits using computer or computer network, without authority, with intention to (1) remove, halt, or otherwise disable computer data, programs, or software; (2) cause computer to malfunction; (3) alter or erase computer data, programs, or software; (4) cause physical injury to property of another; (5) make or cause to be made unauthorized copy of computer data, program, or software; or (6) falsify or forge electronic mail transmission information or other routing information in any manner in connection with transmission of unsolicited bulk electronic mail through or into computer network of e-mail service provider or its subscribers. Prohibits selling, giving, or otherwise distributing (or possessing for such purposes) software which (1) is primarily designed or produced for purpose of facilitating or enabling falsification of e-mail transmission information, or (2) has only limited commercially significant purpose other than under (1) above, or (3) is marketed for use in facilitating or enabling falsification of e-mail transmission information. Makes violation a Class 3 misdemeanor; if violation is accompanied by damage to property of another valued at \$2500 or more caused by violator's reckless disregard, violation is Class 1 misdemeanor; if violation is accompanied by such damage caused by malicious act, violation is Class G felony. Authorizes victim to sue for civil damages. Effective Oct. 1, 1999.

**Intro. by Reeves.**

Ref. to Judiciary I

GS 1, 14

April 22, 1999

**S 288. UNSOLICITED COMM. ELEC. BULK MAIL.** Intro. 3/8/99. Senate committee substitute makes the following changes to 1st edition. Makes technical changes, and deletes provision making it unlawful to sell, give, distribute or possess with intent to sell software designed or marketed to facilitate the falsification of electronic mail transmission information or other routing information.

April 26, 1999

**S 288. UNSOLICITED ELECTRONIC BULK MAIL.** Intro. 3/8/99. Senate amendment makes the following changes to 2nd edition. Adds definitions of "commercial electronic mail" (messages sent and received electronically consisting of commercial advertising material, the principal purpose of which is to promote for-profit sale or lease of goods or services to recipient) and "unsolicited" (not addressed to recipient with whom initiator has existing business or personal relationship and not sent at request of, or with express consent of, recipient).

June 1, 1999

**S 288. UNSOLICITED COMM. ELEC. BULK MAIL.** Intro. 3/4/99. House committee substitute makes the following changes to 3rd edition. Deletes reference to and definition of "spam" as grounds for personal jurisdiction under GS 1-75.4. Adds intent requirement to false identification or forgery provision of new crime of computer trespass. Changes felony level for computer trespass that causes damage valued at \$2,500 or more to Class I (was, Class G). Relocates provisions for damages (including attorneys fees and special damages) from computer trespass to GS 1, Art. 43 (was, located within new GS 14-458). Changes effective date to Dec. 1, 1999 (was, Oct. 1, 1999).