

June 3, 2002

H 1501. FELONIOUS ACCESS TO GOVERNMENT COMPUTERS. MAKING IT A FELONY TO ACCESS A GOVERNMENT COMPUTER FOR FRAUDULENT OR RELATED ACTIVITY OR TO CAUSE A DENIAL OF SERVICE AFFECTING A GOVERNMENT COMPUTER. Creates new GS 14-454.1 to make it a Class E felony to willfully, directly or indirectly, access or cause to be accessed any government computer for the purpose of devising or executing any scheme or artifice to defraud, or obtaining property or services by means of false or fraudulent pretenses, representations, or promises. A person who willfully and without authorization accesses or causes to be accessed a government computer for other purposes is guilty of a Class G felony.

"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 government entity. "Access or cause to be accessed" includes introducing a computer program, including a self-replicating or self-propagating computer program, into a government computer. Makes it a Class 1 misdemeanor to willfully and without authorization, directly or indirectly, access or cause to be accessed any educational testing material or academic or vocational testing scores or grades that are in a government computer. Amends GS 14-445 to make it a Class G felony to willfully and without authorization alter, damage, or destroy a government computer. Creates new GS 14-456.1 to make it a Class G felony to willfully and without authorization deny or cause to be denied a service provided or performed by a government computer, including a denial of services caused by introducing a computer program into a government computer. Effective Dec. 1, 2002.

Intro. by Tolson.

Ref. to Judiciary III	GS 14
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July 10, 2002

H 1501. FELONIOUS ACCESS TO GOVERNMENT COMPUTERS. Intro. 6/3/02. House committee substitute makes the following changes to 1st edition. Rewrites title to read: *AN ACT CONCERNING UNLAWFUL ACCESS OR DAMAGE TO A GOVERNMENT COMPUTER OR CAUSING DENIAL OF SERVICE AFFECTING A GOVERNMENT COMPUTER*. Modifies penalties proposed for various new crimes as follows: (1) Unlawful access to government computer for fraudulent purposes changed from Class E to Class F felony; (2) unlawful access for other purposes changed from Class G to Class H felony; (3) damaging or destroying government computer changed from Class G to Class F felony; and (4) denial of government computer services changed from Class G to Class H felony.

Adds new GS 14-453.1 creating exceptions to article, and new GS 14-453.2 providing that offense committed under article may be deemed to have been committed either where electronic communication originally sent or originally received.