

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1501*

Short Title: Felonious Access to Government Computers.

(Public)

Sponsors: Representative Tolson.

Referred to: Judiciary III.

June 3, 2002

1 A BILL TO BE ENTITLED
2 AN ACT MAKING IT A FELONY TO ACCESS A GOVERNMENT COMPUTER
3 FOR FRAUDULENT OR RELATED ACTIVITY OR TO CAUSE A DENIAL OF
4 SERVICE AFFECTING A GOVERNMENT COMPUTER.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 14-453 is amended by adding a new subdivision to read:

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

10 **SECTION 2.** Article 60 of Chapter 14 of the General Statutes is amended by
11 adding a new section to read:

12 **"§ 14-454.1. Accessing government computers.**

13 (a) It is unlawful to willfully, directly or indirectly, access or cause to be
14 accessed any government computer for the purpose of:

15 (1) Devising or executing any scheme or artifice to defraud, or

16 (2) Obtaining property or services by means of false or fraudulent
17 pretenses, representations, or promises.

18 A violation of this subsection is a Class E felony.

19 (b) Any person who willfully and without authorization, directly or indirectly,
20 accesses or causes to be accessed any government computer for any purpose other than
21 those set forth in subsection (a) of this section is guilty of a Class G felony.

22 (c) Any person who willfully and without authorization, directly or indirectly,
23 accesses or causes to be accessed any educational testing material or academic or
24 vocational testing scores or grades that are in a government computer is guilty of a
25 Class 1 misdemeanor.

26 (d) For the purpose of this section the phrase "access or cause to be accessed"
27 includes introducing, directly or indirectly, a computer program (including a self-
28 replicating or a self-propagating computer program) into a computer, computer
29 program, computer system, or computer network."

1 **SECTION 3.** G.S. 14-455 is amended by adding a new subsection to read:
2 "(a1) It is unlawful to willfully and without authorization alter, damage, or destroy
3 a government computer. A violation of this subsection is a Class G felony. "

4 **SECTION 4.** Article 60 of Chapter 14 of the General Statutes is amended by
5 adding a new section to read:

6 **"§ 14-456.1. Denial of government computer services to an authorized user.**

7 (a) Any person who willfully and without authorization denies or causes the
8 denial of government computer services is guilty of a Class G felony. For the purposes
9 of this section, the term "government computer service" means any service provided or
10 performed by a government computer as defined in G.S. 14-454.1.

11 (b) This section also applies to denial of services effectuated by introducing,
12 directly or indirectly, a computer program (including a self-replicating or a self-
13 propagating computer program) into a computer, computer program, computer system,
14 or computer network. "

15 **SECTION 5.** This act becomes effective December 1, 2002, and applies to
16 offenses committed on or after that date.