

ME Electronic Crime Statutes

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§431. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1989, c. 620 (new).]

1. "Access" means to gain logical entry into, instruct, communicate with, store data in or retrieve data from any computer resource. [1989, c. 620 (new).]

2. "Computer" means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device. [1989, c. 620 (new).]

3. "Computer information" means a representation of information, knowledge, facts, concepts or instructions that are confidential or proprietary, are being prepared or have been prepared from an organized set of data and are located in computer memory or on magnetic, optical or mechanical media transferable directly to or useable directly by a computer as a source of data or instructions. [1989, c. 620 (new).]

4. "Computer network" means a combination of one or more computers and communication facilities with the capability to transmit information among the devices or computers. [1989, c. 620 (new).]

5. "Computer program" means an ordered set of data representing coded instructions or statements that, when executed by a computer, cause the computer to process data. [1989, c. 620 (new).]

6. "Computer software" means a set of computer programs, procedures and associated documentation used in the operation of a computer system. [1989, c. 620 (new).]

7. "Computer system" means any combination of a computer or computers with the documentation, computer software or physical facilities supporting the computer. [1989, c. 620 (new).]

8. "Computer resource" means a computer program, computer software, computer

system, computer network, computer information or any combination thereof. [1989 , c. 620 (new) .]

9. "Computer virus" means any computer instruction, information, data or program that degrades the performance of a computer resource; disables, damages or destroys a computer resource; or attaches itself to another computer resource and executes when the host computer program, data or instruction is executed or when some other event takes place in the host computer resource, data or instruction. [1989 , c. 620 (new) .]

10. "Damage" means to destroy, alter, disrupt, delete, add, modify, or rearrange any computer resource by any means. [1989 , c. 620 (new) .]

11. "Not authorized" and "unauthorized" mean not having consent or permission of the owner, or person licensed or authorized by the owner to grant consent or permission, to access or use any computer resource, or accessing or using any computer resource in a manner exceeding the consent or permission. [1989 , c. 620 (new) .]

Section History:

PL 1989,
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§432. Criminal invasion of computer privacy

1. A person is guilty of criminal invasion of computer privacy if the person intentionally accesses any computer resource knowing that the person is not authorized to do so. [1989 , c. 620 (new) .]

2. Criminal invasion of computer privacy is a Class D crime. [1989 , c. 620 (new) .]

Section History:

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§433. Aggravated criminal invasion of computer privacy

1. A person is guilty of aggravated criminal invasion of computer privacy if the person:

A. Intentionally makes an unauthorized copy of any computer program, computer software or computer information, knowing that the person is not authorized to do so; [1989, c. 620 (new).]

B. Intentionally or knowingly damages any computer resource of another person, having no reasonable ground to believe that the person has the right to do so; or [1989, c. 620 (new).]

C. Intentionally or knowingly introduces or allows the introduction of a computer virus into any computer resource, having no reasonable ground to believe that the person has the right to do so. [1989, c. 620 (new).]

[1989, c. 620 (new).]

2. Aggravated criminal invasion of computer privacy is a Class C crime. [1989, c. 620 (new).]

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