/* R FRINGE COMMENTARY: The Nebraska Computer Crimes Law, effective 1985, Nebraska Criminal Code, Section 28-1343*/

SECTION 28-1343. Terms, defined.

   For the purposes of sections 28-1343 to 28-1348, unless the context otherwise requires:

   (1) Access shall mean to instruct, to communicate with, store data in, retrieve data from or otherwise use the resources of a computer computer network;

   (2) Computer shall mean a high-speed data processing device or system which performs logical, arithmetic, data storage and retrieval, communication or control functions, and includes any input, output, data storage, processing, or communications facilitates directly related to or operating in conjunction with any such device or system;

   (3) Computer network shall mean the interconnection of communication links with a computer or an interconnection of computers which communicate with each other;

   (4) Computer program shall mean an ordered set of instructions, statements or related data that directs or is intended to direct the computer to perform certain specified functions;

   (5) Data shall mean a representation or information, facts, knowledge, concepts or instructions prepared in a formalized or other manner and intended for use in a computer or computer network;

   (6) Property shall mean any tangible or intangible thing of value and shall include, but not be limited to, financial instruments, data, computer programs, information, computer-produced or stored data whether in human readable or computer readable form.

SECTION 97-45-3. Computer fraud; penalties.

   (1) Computer fraud is the accessing or causing to be accessed of any computer, computer system, computer network, or any part thereof with the intent to:

   (a) Defraud, or

   (b) To obtain money, property or services by means of false or fraudulent conduct, practices or representations; or through the false or fraudulent alteration, deletion or insertion of programs or data.

(2) Whoever commits the offense of computer fraud shall be punished, upon conviction, by a fine of not more than Ten Thousand Dollars, or by imprisonment for not more than five

years, or both by such fine and imprisonment.

SECTION 97-45-5. Offense against computer users; penalties

  (1) An offense against computer users is the intentional:

    (a) denial to an authorized user, without consent, of
    the full and effective use of or access to a computer, a
    computer system, a computer network or computer
    services; or

    (b) use or disclosure to another, without consent, of
    the numbers, codes, passwords or other means of access
    to a computer, a computer system, a computer network, or
    computer services.

  (2) Whoever commits an offense against computer users shall
be punished, upon conviction, by a fine of not more than One
Thousand Dollars ($ 1,000), or by imprisonment for not more than
six months, or by both such fine and imprisonment. However, when
the damage or loss amounts to a value of One Hundred Dollars or
more, the offender may be punished, upon convictions, by a fine
of not more than Ten Thousand Dollars, or imprisonment for not
more than 5 years, or by both such fine and imprisonment.

SECTION 97-45-7. Offense against computer equipment, penalties.

  (1) An offense against intellectual property is the
intentional:

    (a) Destruction, insertion or modification, without
    consent, of intellectual property; or

    (b) Disclosure, use, copying, taking or accessing,
    without consent, of intellectual property.

  (2) Whoever commits an offense against intellectual property
shall be punished, upon conviction, by a fine of not more than
One Thousand Dollars ($ 1,000), or by imprisonment for not more
than six months, or by both such fine and imprisonment. However,
when the damage or loss amounts to a value of One Hundred Dollars
or more, the offender may be punished, upon convictions, by a
fine of not more than Ten Thousand Dollars, or imprisonment for
not more than 5 years, or by both such fine and imprisonment.

  (3) The provisions of this section shall not apply to the
disclosure, use, copying, taking, or accessing by proper means as
defined in this chapter.