

Session 115 - (2003-2004)

H 5147 General Bill, By J.E. Smith

Summary: SC Spam Control Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 10 TO TITLE 58 SO AS TO ENACT THE SOUTH CAROLINA SPAM CONTROL ACT, PROVIDING FOR PROTECTION FROM FRAUDULENT TRANSMISSION AND ROUTING OF ELECTRONIC MAIL BY ESTABLISHING FELONIES FOR THE FALSIFICATION OF INFORMATION AS TO ORIGIN, HEADER, REGISTRATION OF DOMAIN NAMES, AND RIGHT TO USE PROTOCOL ADDRESSES, TO PROVIDE FOR INCREASED CRIMINAL PENALTIES FOR THE COMMISSION OF THOSE FELONIES IN AN AGGRAVATED MANNER AND TO DESCRIBE THE AGGRAVATING FACTORS, TO PROVIDE FOR INCREASED PENALTIES FOR VIOLATIONS IN CONNECTION WITH THE COMMISSION OF A FELONY, AND TO PROVIDE FOR FORFEITURE OF REAL OR PERSONAL PROPERTY USED IN CONNECTION WITH VIOLATIONS OF THE CHAPTER, TO PROVIDE FOR CIVIL REMEDIES IN AN ACTION TO BE BROUGHT BY THE ATTORNEY GENERAL OR AN INTERNET SERVICE PROVIDER, INCLUDING DAMAGES, INJUNCTIVE RELIEF, AND CIVIL FINES, AND TO PROVIDE FOR PERSONAL JURISDICTION IN THIS STATE AND INVESTIGATIVE AUTHORITY IN THE ATTORNEY GENERAL AND THE JUDICIAL CIRCUIT SOLICITORS; AND TO AMEND SECTION 16-16-20, AS AMENDED, RELATING TO COMPUTER CRIMES AND PENALTIES, SO AS TO REFERENCE THE REQUIREMENTS OF THIS CHAPTER AND TO PROVIDE FOR THE CRIME OF THE FALSIFICATION OF INFORMATION IN CONNECTION WITH A COMMERCIAL ELECTRONIC MESSAGE TRANSMISSION.

04/20/04 House Introduced and read first time HJ-4

04/20/04 House Referred to Committee on Judiciary HJ-5