

(C) (1) "INTERACTIVE COMPUTER SERVICE PROVIDER" MEANS AN INFORMATION SERVICE, SYSTEM, OR ACCESS SOFTWARE PROVIDER THAT PROVIDES OR ENABLES COMPUTER ACCESS BY MULTIPLE USERS TO A COMPUTER SERVICE.

(2) "INTERACTIVE COMPUTER SERVICE PROVIDER" INCLUDES A SERVICE OR SYSTEM THAT PROVIDES ACCESS TO THE INTERNET AND SYSTEMS OPERATED OR SERVICES OFFERED BY A LIBRARY OR EDUCATIONAL INSTITUTION.

14-2902.

~~(B) (A) THIS SECTION APPLIES TO A COMMERCIAL ELECTRONIC MAIL MESSAGE SENT FROM A COMPUTER LOCATED IN THE STATE OR TO AN ELECTRONIC MAIL ADDRESS THAT THE SENDER KNOWS OR HAS REASON TO KNOW IS HELD BY A RESIDENT OF THE STATE DOES NOT APPLY TO AN INTERACTIVE COMPUTER SERVICE PROVIDER OR A TELECOMMUNICATION UTILITY TO THE EXTENT THAT THE INTERACTIVE COMPUTER SERVICE PROVIDER OR THE TELECOMMUNICATION UTILITY MERELY HANDLES, RETRANSMITS, OR CARRIES A TRANSMISSION OF COMMERCIAL ELECTRONIC MAIL.~~

~~(C) (B) A PERSON MAY NOT INITIATE OR THE TRANSMISSION, CONSPIRE WITH ANOTHER PERSON TO INITIATE THE TRANSMISSION, OR ASSIST IN THE TRANSMISSION OF A COMMERCIAL ELECTRONIC MAIL MESSAGE THAT:~~

~~(1) MISREPRESENTS OR OBSCURES ANY INFORMATION RELATING TO THE POINT OF ORIGIN OR TRANSMISSION PATH OF THE COMMERCIAL ELECTRONIC MAIL MESSAGE; OR~~

~~(2) IS FROM A COMPUTER IN THE STATE OR IS SENT TO AN ELECTRONIC MAIL ADDRESS THAT THE SENDER KNOWS OR SHOULD HAVE KNOWN IS HELD BY A RESIDENT OF THE STATE; AND~~

~~(2) (I) USES A THIRD PARTY'S INTERNET DOMAIN NAME OR ELECTRONIC MAIL ADDRESS WITHOUT THE PERMISSION OF THE THIRD PARTY;~~

~~(II) CONTAINS FALSE OR MISLEADING INFORMATION IN ABOUT THE SUBJECT LINE ORIGIN OR THE TRANSMISSION PATH OF THE COMMERCIAL ELECTRONIC MAIL; OR~~

~~(III) CONTAINS FALSE OR MISLEADING INFORMATION IN THE SUBJECT LINE THAT HAS THE CAPACITY, TENDENCY, OR EFFECT OF DECEIVING THE RECIPIENT.~~

~~(D) A PERSON MAY NOT ASSIST IN THE TRANSMISSION OF A COMMERCIAL ELECTRONIC MAIL MESSAGE IF THE PERSON PROVIDING ASSISTANCE KNOWS OR CONSCIOUSLY AVOIDS KNOWING THAT THE PERSON INITIATING THE COMMERCIAL ELECTRONIC MAIL MESSAGE IS ENGAGED OR INTENDS TO ENGAGE IN ANY ACTIVITY THAT VIOLATES THIS TITLE.~~

(C) A PERSON IS PRESUMED TO KNOW THAT THE INTENDED RECIPIENT OF COMMERCIAL ELECTRONIC MAIL IS A RESIDENT OF THE STATE IF THE INFORMATION IS AVAILABLE ON REQUEST FROM THE REGISTRANT OF THE INTERNET DOMAIN NAME CONTAINED IN THE RECIPIENT'S ELECTRONIC MAIL ADDRESS.