



CHAPTER 1

ARTICLE 43 - NUISANCE AND OTHER WRONGS

N.C.G.S. § 1-539.2A.

Damages for computer trespass.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 06:39 UTC	e446c77a43eb1002103f5a0e - a3e5e8e558092376ad870e17 - bd62c7b6a82d8faa

§ 1-539.2A(a)

Any person whose property or person is injured by reason of a violation of G.S. 14-458 may sue for and recover any damages sustained and the costs of the suit. Without limiting the general of the term, "damages" shall include loss of profits. If the injury arises from the transmission of unsolicited bulk commercial email, the injured person, other than an email service provider, may also recover attorneys' fees and may elect, in lieu of actual damages, to recover the lesser of ten dollars (\$10.00) for each and every unsolicited bulk commercial email message transmitted in violation of this section, or twenty-five thousand dollars (\$25,000) per day. The injured person shall not have a cause of action against the email service provider which merely transmits the unsolicited bulk commercial email over its computer network. If the injury arises from the transmission of unsolicited bulk commercial email, an injured email service provider may also recover attorneys' fees and costs and may elect, in lieu of actual damages, to recover the greater of ten dollars (\$10.00) for each and every unsolicited bulk commercial email message transmitted in violation of this section, or twenty-five thousand dollars (\$25,000) per day.

§ 1-539.2A(b)

A civil action under this section shall be commenced before expiration of the time period prescribed in G.S. 1-54. In actions alleging injury arising from the transmission of unsolicited bulk commercial email, personal jurisdiction may be exercised pursuant to G.S. 1-75.4. (1999-212, s. 4; 1999-456, s. 8; 2025-25, s. 29(1).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II

3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 14-458	(a)	"by reason of a violation of"
G.S. 1-54	(b)	"of the time period prescribed in"
G.S. 1-75.4	(b)	"jurisdiction may be exercised pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 1-539.2A (2026).

PINPOINT

N.C. Gen. Stat. § 1-539.2A(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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