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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4085

03/04/2020

Authored by Nash

The bill was read for the first time and referred to the Public Safety and Criminal Justice Reform Finance and Policy Division

1.1 A bill for an act
1.2 relating to public safety; establishing the crime of unauthorized access of critical
1.3 state information technology systems; amending Minnesota Statutes 2018, section
1.4 609.891, subdivision 2.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 609.891, subdivision 2, is amended to read:

1.7 Subd. 2. **Felony.** (a) A person who violates subdivision 1 in a manner that creates a
1.8 grave risk of causing the death of a person is guilty of a felony and may be sentenced to
1.9 imprisonment for not more than ten years or to payment of a fine of not more than \$20,000,
1.10 or both.

1.11 (b) A person who is convicted of a second or subsequent gross misdemeanor violation
1.12 of subdivision 1 is guilty of a felony and may be sentenced under paragraph (a).

1.13 (c) A person who violates subdivision 1 by accessing, or attempting to access, an
1.14 electronic terminal through opening any panel or access door without authorization and
1.15 placing or attaching, or attempting to place or attach, an electronic device to capture, store,
1.16 or communicate access device information is guilty of a felony.

1.17 (d) A person who violates subdivision 1 and gains access to critical state information
1.18 technology systems is guilty of a felony and may be sentenced under paragraph (a). For
1.19 purposes of this paragraph, "critical state information technology systems" are information
1.20 and telecommunications technology systems and services, as defined in section 16E.03,
1.21 subdivision 1, paragraph (b), that are operated, maintained, or contracted for by the state
1.22 chief information officer, or provided by an outside vendor pursuant to section 16E.016,
1.23 paragraph (c).

- 2.1 **EFFECTIVE DATE.** This section is effective August 1, 2020, and applies to crimes
- 2.2 committed on or after that date.