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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.