

609.8912 CRIMINAL USE OF ENCRYPTION.

Subdivision 1. **Crime.** Whoever intentionally uses or attempts to use encryption to do any of the following is guilty of criminal use of encryption and may be sentenced as provided in subdivision 2:

- (1) to commit, further, or facilitate conduct constituting a crime;
- (2) to conceal the commission of any crime;
- (3) to conceal or protect the identity of a person who has committed any crime; or
- (4) to prevent, impede, delay, or disrupt the normal operation or use of another's computer, computer program, or computer system.

Subd. 2. **Penalties.** (a) A person who violates subdivision 1 may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if:

- (1) the crime referenced in subdivision 1, clause (1), (2), or (3), is a felony; or
- (2) the person has two or more prior convictions for an offense under this section, section 609.88, 609.89, 609.891, or 609.8913, or similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories.

(b) A person who violates subdivision 1, under circumstances not described in paragraph (a), is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than 364 days or to payment of a fine of not more than \$3,000, or both.

History: 2006 c 260 art 1 s 36; 2023 c 52 art 6 s 16