

- 1.1 Senator moves to amend S.F. No. 2069 as follows:
- 1.2 Delete everything after the enacting clause and insert:
- 1.3 "Section 1. Minnesota Statutes 2022, section 609.87, is amended by adding a subdivision
- 1.4 to read:
- 1.5 Subd. 17. **Electronic data.** "Electronic data" means records or information in digital
- 1.6 form on a computer, computer network, computer system, or in computer software that can
- 1.7 be stored, transmitted, or processed.
- 1.8 Sec. 2. Minnesota Statutes 2022, section 609.89, is amended to read:
- 1.9 **609.89 COMPUTER AND ELECTRONIC DATA THEFT.**
- 1.10 Subdivision 1. Acts. Whoever does any of the following is guilty of computer or
- 1.11 electronic data theft and may be sentenced as provided in subdivision 2:
- 1.12 ~~(a)~~ (1) intentionally and without authorization or claim of right accesses or causes to be
- 1.13 accessed any computer, computer system, computer network or any part thereof for the
- 1.14 purpose of obtaining services or property; ~~or~~
- 1.15 ~~(b)~~ (2) intentionally and without claim of right, and with intent to deprive the owner of
- 1.16 use or possession, takes, transfers, conceals or retains possession of any computer, computer
- 1.17 system, or any computer software or data contained in a computer, computer system, or
- 1.18 computer network;
- 1.19 (3) intentionally and without authorization or claim of right accesses or copies any
- 1.20 computer software or electronic data and uses, alters, transfers, retains, or publishes the
- 1.21 computer software or electronic data; or
- 1.22 (4) intentionally retains copies of any computer software or electronic data beyond the
- 1.23 individual's authority.
- 1.24 Subd. 2. **Penalty.** ~~(a)~~ Except as provided in paragraph (b), anyone who commits computer
- 1.25 or electronic data theft may be sentenced as follows:
- 1.26 ~~(a)~~ (1) to imprisonment for not more than ten years or to payment of a fine of not more
- 1.27 than \$50,000, or both, if the loss to the owner, or the owner's agent, or lessee is in excess
- 1.28 of \$2,500; or
- 1.29 ~~(b)~~ (2) to imprisonment for not more than five years or to payment of a fine of not more
- 1.30 than \$10,000, or both, if the loss to the owner, or the owner's agent, or lessee is more than
- 1.31 \$500 but not more than \$2,500; or