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│      DRAFT ONLY         │
│   NOT APPROVED FOR      │
│     INTRODUCTION        │
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SENATE FILE NO.

Disclosure of private cryptographic keys.

Sponsored by: Select Committee on Blockchain, Financial Technology and Digital Innovation Technology

A BILL

for

1   AN ACT relating to digital assets; specifying disclosure

2   obligations   and   limitations   applicable   to   private

3   cryptographic keys; providing a definition; repealing a

4   definition; and providing for an effective date.

5

6   *Be It Enacted by the Legislature of the State of Wyoming:*

7

8   **Section 1.** W.S. 34-29-107 is created to read:

9

10   **34-29-107. Production of private keys; prohibition.**

11

1   (a) No person shall be compelled to produce a private

2   key or make a private key known to any other person in any

3   civil, criminal, administrative, legislative or other

4   proceeding in this state that relates to a digital asset,

5   digital identity or other interest or right to which the

6   private key provides access unless a public key is

7   unavailable or unable to disclose the requisite information

8   with respect to the digital asset, digital identity or

9   other interest or right.

10

11   (b) This section shall not be interpreted to prohibit

12 any lawful proceeding that compels a person to produce,

13 sell, transfer, convey or disclose a digital asset, digital

14 identity or other interest or right to which a private key

15 provides access, or to disclose information about the

16 digital asset, digital identity or other interest or right,

17 provided that the person is not required to produce or

18 disclose the private key except as otherwise required by

19 subsection (a) of this section.

20

21   **Section 2**. W.S. 34-29-101(a) by creating a new

22 paragraph (v) is amended to read:

23

1   **34-29-101. Definitions**.

2

3   (a) As used in this chapter:

4

5   (v) "Private key" means a unique element of

6   cryptographic data, or any substantially similar analogue,

7   which is:

8

9   (A) Held by a person;

10

11   (B) Paired with a unique, publicly

12   available element of cryptographic data; and

13

14   (C) Associated with an algorithm that is

15   necessary to carry out an encryption or decryption required

16   to execute a transaction.

17

18   **Section 3.** W.S. 34-29-103(e)(iii) is repealed.

19

20   **
21   ********************
22   **STAFF COMMENT**
23   **W.S. 34-29-103(e)(iii) is the definition of "private key".**
24   **This draft simply makes the definition applicable to the**
25   **entire chapter which includes the new section created by**
26   **this draft.**

1   ***

2   **********************

3

4   **Section 4**.   This act is effective July 1, 2023.

5

6   (END)