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HOUSE BILL NO. HB0086

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; prohibiting the

2 compelled production of a private key that relates to a

3 digital asset, digital identity or other interest or right

4 except as specified; providing a definition; repealing a

5 definition; and providing for an effective date.

6

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

8

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

10

11 **34-29-107. Production of private keys; prohibition.**

12

13 (a) Unless otherwise directed after in camera review

14 by the court, no person shall be compelled to produce a

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1 private key or make a private key known to any other person

2 in any civil, administrative, legislative or other

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

4 digital identity or other interest or right to which the

5 private key provides access unless a public key is

6 unavailable or unable to disclose the requisite information

7 with respect to the digital asset, digital identity or

8 other interest or right.

9

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

11 any lawful proceeding that compels a person to produce,

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

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

14 provides access, or to disclose information about the

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

16 provided that the person is not required to produce or

17 disclose the private key except as otherwise required by

18 subsection (a) of this section.

19

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

21 paragraph (v) is amended to read:

22

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

21

22   (END)