

992050818

**HOUSE BILL NO. 2236**

House Amendments in [ ] — February 3, 1999

*A BILL to amend the Code of Virginia by adding in Article 7.1 of Chapter 5 of Title 18.2 a section numbered 18.2-152.15, relating to encryption used in criminal activity; penalty.*

Patrons—May, Black, Blevins, Crittenden, Darner, Dickinson, Drake, Guest, Harris, Howell, Jones, D.C., Katzen, Landes, Moran, Puller, Reid, Robinson, Rollison, Ruff, Tate and Wardrup

Referred to Committee on Science and Technology

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 7.1 of Chapter 5 of Title 18.2 a section numbered 18.2-152.15 as follows:**

*§ 18.2-152.15. Encryption used in criminal activity.*

*Any person who willfully uses encryption to further any criminal activity shall be guilty of an offense which is separate and distinct from the predicate criminal activity and punishable as a Class 1 misdemeanor.*

*"Encryption" means the transformation of data by the use of cryptography to produce unintelligible data (encrypted data) to ensure its confidentiality [ , which may be subsequently recovered through a reverse encryption process ] .*

ENGROSSED

HB2236E