

2025 -- H 5868

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DIGITAL ASSET KEYS--
PROHIBITION OF PRODUCTION OF PRIVATE KEYS

Introduced By: Representatives Casey, Solomon, and J. Brien

Date Introduced: February 28, 2025

Referred To: House Innovation, Internet, & Technology

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 64.35

4 DIGITAL ASSET KEYS -- PROHIBITION OF PRODUCTION OF PRIVATE KEYS

5 **42-64.35-1. Short title.**

6 This chapter shall be known and may be cited as the "Digital Asset Keys -- Prohibition of
7 Production of Private Keys."

8 **42-64.35-2. Purpose.**

9 This chapter prohibits the compelled production of a private key that relates to a digital
10 asset except as provided in § 42-64.35-4.

11 **42-64.35-3. Definitions.**

12 As used in this chapter the following words and phrases shall have the following meanings,
13 unless the context otherwise requires:

14 (1) "Private key" means a unique element of cryptographic data, or any substantially similar
15 analogue, which is:

16 (i) Held by a person;

17 (ii) Paired with a unique, publicly available element of cryptographic data; and

18 (iii) Associated with an algorithm that is necessary to carry out an encryption or decryption

1 [required to execute a transaction.](#)

2 **42-64.35-4. Public key exception.**

3 [No person shall be compelled to produce a private key or make a private key known to any](#)
4 [other person in any civil, criminal, administrative, legislative or other proceeding in this state that](#)
5 [relates to a digital asset, digital identity or other interest or right to which the private key provides](#)
6 [access unless a public key is unavailable or unable to disclose the requisite information with respect](#)
7 [to the digital asset, digital identity or other interest or right.](#)

8 **42-64.35-5. No prohibition for lawful proceeding.**

9 [This section shall not be interpreted to prohibit any lawful proceeding that compels a](#)
10 [person to produce, sell, transfer, convey or disclose a digital asset, digital identity or other interest](#)
11 [or right to which a private key provides access, or to disclose information about the digital asset,](#)
12 [digital identity or other interest or right; provided that, the person is not required to produce or](#)
13 [disclose the private key except as otherwise required in this section.](#)

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DIGITAL ASSET KEYS--
PROHIBITION OF PRODUCTION OF PRIVATE KEYS

- 1 This act would, with limited exception, prohibit the compelled production of a private key
- 2 as it relates to a digital asset, digital identity or other interest or right.
- 3 This act would take effect upon passage.

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