
Summary of 2018 New and Amended Crime Legislation and
Minnesota Offense Code (MOC) Table Changes
Prepared: Minn. Sentencing Guidelines Commission Staff
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1. **Unauthorized Computer Access (Electronic Terminal)**
Added 080118

Description: This law creates new gross misdemeanor and felony offenses of Unauthorized Computer Access (Electronic Terminal) within the existing crime of Unauthorized Computer Access, Minn. Stat. § 609.891.

Gross misdemeanor. Under this law, a person who intentionally and without authorization attempts to, or does, penetrate an electronic terminal by accessing, or attempting to access, the electronic terminal by the unauthorized opening of a panel or access door is guilty of a gross misdemeanor. (An “electronic terminal” is defined as “an electronic device, other than a telephone operated by a consumer, through which an individual or company may initiate an electronic fund transfer. The term includes, but is not limited to, point-of-sale terminals, automated teller machines, cash dispensing machines, and gas pump dispensers.”)

Felony. The gross misdemeanor becomes a felony if the person also places or attaches, or attempts to place or attach, an electronic device to capture, store, or communicate access device information. (An “access device” is defined as a transaction card that may be used to access either an account, prepaid funds, or government benefits.)

Effective Date: August 1, 2018		Minn. Laws Reference: 2018 Minn. Laws ch. 123 , from H.F. 817 90th Minn. Legislature	
		Minn. Stat. Reference: Minn. Stat. § 609.891	
MOC Table Changes:			
KEY	COLUMN	CODE	TEXT
P	Property	N	Electronic Terminal

2. **Sale or Possession of Kratom**

Added 080118

Description: Minn. Stat. § 152.027 is amended and subdivision 7, “sale or possession of kratom,” is added. Paragraph (a) makes it a gross misdemeanor to sell to a child any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine. Paragraph (b) makes it a misdemeanor for a child to possess any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine.

Effective Date: August 1, 2018		Minn. Laws Reference: 2018 Minn. Laws ch. 195 , art. 1, § 3, 90th Minn. Legislature	
		Minn. Stat. Reference: Minn. Stat. § 152.027	
MOC Table Changes:			
KEY	COLUMN	CODE	TEXT
D	Drug Type	K	Kratom

3. **Driving Under the Influence of Intoxicating Substance** **NO Change Needed**

Description: Throughout the DWI laws and all similar laws (including CVO/CVH laws), the prohibition against driving or operating a vehicle while knowingly under the influence of a “hazardous substance” is replaced with a prohibition against driving or operating a vehicle while under the influence of an “intoxicating substance”—that is, a drug or chemical, other than alcohol or a controlled substance, that impairs hearing, sight, thought, or the central nervous system—while knowing or having reason to know of the substance’s capacity to impair.

Effective Date: August 1, 2018		Minn. Laws Reference: 2018 Minn. Laws ch. 195 , art. 2 & 3, 90th Minn. Legislature	
MOC Table Changes:			
KEY	COLUMN	CODE	TEXT
J	Act	H	Under Influence of Chem. Compound/Hazardous/ Intoxicating Sub.

4. **Misrepresenting a Service Animal** **Added 080118**

Description: This law creates new petty misdemeanors and misdemeanors for subsequent offenses of Misrepresenting a Service Animal.

Effective Date: August 1, 2018		Minn. Laws Reference: 2018 Minn. Laws ch. 106 , from H.F. 3157 90th Minn. Legislature	
		Minn. Stat. Reference: Minn. Stat. § 609.833	
MOC Table Changes:			

KEY	COLUMN	CODE	TEXT
M	Miscellaneous	M8181	Misrepresenting Service Animal