

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2528

Chapter 26, Laws of 2018

65th Legislature
2018 Regular Session

ELECTIONS--CONTINUITY OF OPERATIONS PLANS

EFFECTIVE DATE: June 7, 2018

Passed by the House February 12, 2018
Yeas 98 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate February 27, 2018
Yeas 49 Nays 0

CYRUS HABIB

President of the Senate

Approved March 9, 2018 1:55 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2528** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 9, 2018

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2528

Passed Legislature - 2018 Regular Session

State of Washington **65th Legislature** **2018 Regular Session**
By House Public Safety (originally sponsored by Representatives
Hudgins and Wylie)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to providing for the coordination of continuity
2 of operations efforts for elections; amending RCW 38.52.030; and
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that, in 2017, the
6 federal department of homeland security designated election
7 infrastructure as part of our nation's critical infrastructure.
8 Elections play a vital role in our democracy, and it is important
9 that election administrators are able to continue election operations
10 during emergencies. Given the federal designation of election
11 infrastructure as critical infrastructure, counties should maintain a
12 continuity of operations plan for the continuity of elections and the
13 full execution of essential election operations in emergencies.

14 **Sec. 2.** RCW 38.52.030 and 2015 c 61 s 3 are each amended to read
15 as follows:

16 (1) The director may employ such personnel and may make such
17 expenditures within the appropriation therefor, or from other funds
18 made available for purposes of emergency management, as may be
19 necessary to carry out the purposes of this chapter.

1 (2) The director, subject to the direction and control of the
2 governor, shall be responsible to the governor for carrying out the
3 program for emergency management of this state. The director shall
4 coordinate the activities of all organizations for emergency
5 management within the state, and shall maintain liaison with and
6 cooperate with emergency management agencies and organizations of
7 other states and of the federal government, and shall have such
8 additional authority, duties, and responsibilities authorized by this
9 chapter, as may be prescribed by the governor.

10 (3) The director shall develop and maintain a comprehensive, all-
11 hazard emergency plan for the state which shall include an analysis
12 of the natural, technological, or human caused hazards which could
13 affect the state of Washington, and shall include the procedures to
14 be used during emergencies for coordinating local resources, as
15 necessary, and the resources of all state agencies, departments,
16 commissions, and boards. The comprehensive emergency management plan
17 shall direct the department in times of state emergency to administer
18 and manage the state's emergency operations center. This will include
19 representation from all appropriate state agencies and be available
20 as a single point of contact for the authorizing of state resources
21 or actions, including emergency permits. The comprehensive emergency
22 management plan must specify the use of the incident command system
23 for multiagency/multijurisdiction operations. The comprehensive, all-
24 hazard emergency plan authorized under this subsection may not
25 include preparation for emergency evacuation or relocation of
26 residents in anticipation of nuclear attack. This plan shall be known
27 as the comprehensive emergency management plan.

28 (4) In accordance with the comprehensive emergency management
29 plans and the programs for the emergency management of this state,
30 the director shall procure supplies and equipment, institute training
31 programs and public information programs, and shall take all other
32 preparatory steps, including the partial or full mobilization of
33 emergency management organizations in advance of actual disaster, to
34 insure the furnishing of adequately trained and equipped forces of
35 emergency management personnel in time of need.

36 (5) The director shall make such studies and surveys of the
37 industries, resources, and facilities in this state as may be
38 necessary to ascertain the capabilities of the state for emergency
39 management, and shall plan for the most efficient emergency use
40 thereof.

1 (6) The emergency management council shall advise the director on
2 all aspects of the communications and warning systems and facilities
3 operated or controlled under the provisions of this chapter.

4 (7) The director, through the state enhanced 911 coordinator,
5 shall coordinate and facilitate implementation and operation of a
6 statewide enhanced 911 emergency communications network.

7 (8) The director shall appoint a state coordinator of search and
8 rescue operations to coordinate those state resources, services and
9 facilities (other than those for which the state director of
10 aeronautics is directly responsible) requested by political
11 subdivisions in support of search and rescue operations, and on
12 request to maintain liaison with and coordinate the resources,
13 services, and facilities of political subdivisions when more than one
14 political subdivision is engaged in joint search and rescue
15 operations.

16 (9) The director, subject to the direction and control of the
17 governor, shall prepare and administer a state program for emergency
18 assistance to individuals within the state who are victims of a
19 natural, technological, or human caused disaster, as defined by RCW
20 38.52.010(~~(+5)~~) (6). Such program may be integrated into and
21 coordinated with disaster assistance plans and programs of the
22 federal government which provide to the state, or through the state
23 to any political subdivision thereof, services, equipment, supplies,
24 materials, or funds by way of gift, grant, or loan for purposes of
25 assistance to individuals affected by a disaster. Further, such
26 program may include, but shall not be limited to, grants, loans, or
27 gifts of services, equipment, supplies, materials, or funds of the
28 state, or any political subdivision thereof, to individuals who, as a
29 result of a disaster, are in need of assistance and who meet
30 standards of eligibility for disaster assistance established by the
31 department of social and health services: PROVIDED, HOWEVER, That
32 nothing herein shall be construed in any manner inconsistent with the
33 provisions of Article VIII, section 5 or section 7 of the Washington
34 state Constitution.

35 (10) The director shall appoint a state coordinator for
36 radioactive and hazardous waste emergency response programs. The
37 coordinator shall consult with the state radiation control officer in
38 matters relating to radioactive materials. The duties of the state
39 coordinator for radioactive and hazardous waste emergency response
40 programs shall include:

1 (a) Assessing the current needs and capabilities of state and
2 local radioactive and hazardous waste emergency response teams on an
3 ongoing basis;

4 (b) Coordinating training programs for state and local officials
5 for the purpose of updating skills relating to emergency mitigation,
6 preparedness, response, and recovery;

7 (c) Utilizing appropriate training programs such as those offered
8 by the federal emergency management agency, the department of
9 transportation and the environmental protection agency; and

10 (d) Undertaking other duties in this area that are deemed
11 appropriate by the director.

12 (11) The director is responsible to the governor to lead the
13 development and management of a program for interagency coordination
14 and prioritization of continuity of operations planning by state
15 agencies. Each state agency is responsible for developing an
16 organizational continuity of operations plan that is updated and
17 exercised annually in compliance with the program for interagency
18 coordination of continuity of operations planning.

19 (12) The director shall maintain a copy of the continuity of
20 operations plan for election operations for each county that has a
21 plan available.

Passed by the House February 12, 2018.

Passed by the Senate February 27, 2018.

Approved by the Governor March 9, 2018.

Filed in Office of Secretary of State March 9, 2018.

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