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**SUBSTITUTE HOUSE BILL 1251**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** House State Government & Tribal Relations (originally sponsored by Representatives Tarleton, Hudgins, and Wylie)

READ FIRST TIME 02/21/19.

1 AN ACT Relating to security breaches of election systems or  
2 election data including by foreign entities; adding a new section to  
3 chapter 29A.12 RCW; and 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 public  
6 confidence in state elections systems and election data are of  
7 paramount consideration to the integrity of the voting process. The  
8 legislature also finds that recent events have revealed an  
9 intentional and persistent effort by foreign entities to influence  
10 election systems and other cyber networks. Therefore, the legislature  
11 intends to review the state's electoral systems and processes and  
12 take appropriate measures to identify whether foreign entities were  
13 responsible for the intrusions.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.12  
15 RCW to read as follows:

16 (1) The secretary of state must annually consult with the  
17 Washington state fusion center, state chief information officer, and  
18 each county auditor to identify instances of security breaches of  
19 election systems or election data.

1 (2) To the extent possible, the secretary of state must identify  
2 whether the source of a security breach, if any, is a foreign entity,  
3 domestic entity, or both.

4 (3) By December 31st of each year, the secretary of state must  
5 submit a report to the governor, state chief information officer,  
6 Washington state fusion center, and the chairs and ranking members of  
7 the appropriate legislative committees from the senate and house of  
8 representatives that includes information on any instances of  
9 security breaches identified under subsection (1) of this section and  
10 options to increase the security of the election systems and election  
11 data, and to prevent future security breaches. The report, and any  
12 related material, data, or information provided pursuant to  
13 subsection (1) of this section or used to assemble the report, may  
14 only be distributed to, or otherwise shared with, the individuals  
15 specifically mentioned in this subsection (3).

16 (4) For the purposes of this section:

17 (a) "Foreign entity" means an entity that is not organized or  
18 formed under the laws of the United States, or a person who is not  
19 domiciled in the United States or a citizen of the United States.

20 (b) "Security breach" means a breach of the election system or  
21 associated data where the system or associated data has been  
22 penetrated, accessed, or manipulated by an unauthorized person.

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