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HOUSE BILL 2999

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State of Washington

65th Legislature

2018 Regular Session

By Representatives Tarleton, Hudgins, Morris, and Ormsby

Read first time 02/23/18. Referred to Committee on State Govt,  
Elections & IT.

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: Examine the state's electoral systems and processes in  
12 order to determine whether our election systems have been  
13 compromised; take appropriate measures to identify whether foreign  
14 entities were responsible for the intrusions; and restore the  
15 security and integrity of the state's digital infrastructure  
16 regarding elections.

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

19 (1) The secretary of state must annually consult with the  
20 attorney general, state chief information security officer, county

1 auditors' or other designated local election officials to identify  
2 instances of security breaches of election systems or election data.

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

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

18 (4) For the purposes of this section:

19 (a) "Security breach" means:

20 (i) An attempt to penetrate, access, or manipulate an election  
21 system or associated election data by an unauthorized person; or

22 (ii) A breach of the election system or associated data where the  
23 system or associated data has been penetrated, accessed, or  
24 manipulated by an unauthorized person.

25 (b) "Foreign entity" means an entity that is not organized or  
26 formed under the laws of the United States, or a person who is not  
27 domiciled in the United States or a citizen of the United States.

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