

SHB 1251 - S COMM AMD

By Committee on State Government, Tribal Relations & Elections

ADOPTED 03/04/2020

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that public
4 confidence in state elections systems and election data are of
5 paramount consideration to the integrity of the voting process. The
6 legislature also finds that recent events have revealed an
7 intentional and persistent effort by foreign entities to influence
8 election systems and other cyber networks. Therefore, the legislature
9 intends to review the state's electoral systems and processes and
10 take appropriate measures to identify whether foreign entities were
11 responsible for the intrusions.

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

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

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

21 (3) By December 31st of each year, the secretary of state must
22 submit a report to the governor, state chief information officer,
23 Washington state fusion center, and the chairs and ranking members of
24 the appropriate legislative committees from the senate and house of
25 representatives that includes information on any instances of
26 security breaches identified under subsection (1) of this section and
27 options to increase the security of the election systems and election
28 data, and to prevent future security breaches. The report, and any
29 related material, data, or information provided pursuant to
30 subsection (1) of this section or used to assemble the report, may

1 only be distributed to, or otherwise shared with, the individuals
2 specifically mentioned in this subsection (3).

3 (4) For the purposes of this section:

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

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

10 **Sec. 3.** RCW 29A.12.070 and 2003 c 111 s 307 are each amended to
11 read as follows:

12 An agreement to purchase or lease a voting system or a component
13 of a voting system is subject to that system or component passing
14 ~~((an))~~:

15 (1) An acceptance test sufficient to demonstrate that the
16 equipment is the same as that certified by the secretary of state and
17 that the equipment is operating correctly as delivered to the county;
18 and

19 (2) A vulnerability test conducted by a federal or state public
20 entity which includes participation by local elections officials."

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21 On page 1, line 2 of the title, after "entities;" strike the
22 remainder of the title and insert "amending RCW 29A.12.070; adding a
23 new section to chapter 29A.12 RCW; and creating a new section."

EFFECT: Requires any voting system or component of a voting
system to pass a vulnerability test prior to sale or lease in
Washington.

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