

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1251**

Chapter 101, Laws of 2020

66th Legislature  
2020 Regular Session

ELECTION SYSTEMS AND DATA--SECURITY BREACHES

EFFECTIVE DATE: June 11, 2020

Passed by the House March 7, 2020  
Yeas 97 Nays 0

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LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate March 4, 2020  
Yeas 44 Nays 0

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CYRUS HABIB

**President of the Senate**

Approved March 25, 2020 2:48 PM

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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 1251** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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BERNARD DEAN

**Chief Clerk**

FILED

March 26, 2020

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1251**

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AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

**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; amending RCW 29A.12.070;  
3 adding a new section to chapter 29A.12 RCW; and creating a new  
4 section.

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

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

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

17 (1) The secretary of state must annually consult with the  
18 Washington state fusion center, state chief information officer, and  
19 each county auditor to identify instances of security breaches of  
20 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.

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

25 An agreement to purchase or lease a voting system or a component  
26 of a voting system is subject to that system or component passing  
27 ~~((a))~~:

28 (1) An acceptance test sufficient to demonstrate that the  
29 equipment is the same as that certified by the secretary of state and  
30 that the equipment is operating correctly as delivered to the county;  
31 and

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

Passed by the House March 7, 2020.  
Passed by the Senate March 4, 2020.  
Approved by the Governor March 25, 2020.  
Filed in Office of Secretary of State March 26, 2020.

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