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**SENATE BILL 5758**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators McCune, Holy, J. Wilson, L. Wilson, Boehnke, Dozier, Torres, Padden, Rivers, Braun, Muzzall, Short, Wagoner, and Kauffman

Read first time 03/03/23. Referred to Committee on Environment, Energy & Technology.

1 AN ACT Relating to studying the risks of electromagnetic pulse  
2 attacks; adding a new section to chapter 42.56 RCW; creating new  
3 sections; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that  
6 Washington's electric power grid could become a potential target for  
7 hostile actions involving electromagnetic pulse, or EMP, weapons.  
8 Therefore, the legislature determines that the state should require  
9 agencies, utilities, and power producers to study the risks of  
10 electromagnetic pulse attacks in order to safeguard critical  
11 infrastructure in Washington.

12 (2) Subject to amounts appropriated for this specific purpose,  
13 the Washington military department emergency management division  
14 shall initiate a process to undertake a one-time review of the  
15 preparedness of critical electric power infrastructure in Washington  
16 in the event of an electromagnetic pulse attack. The review must be  
17 completed no later than January 1, 2025.

18 (3) In undertaking the review authorized in subsection (2) of  
19 this section, the emergency management division shall consult with  
20 other state agencies as deemed appropriate by the emergency  
21 management division, electric utilities serving customers in

1 Washington, and the owners or operators of power plants located in  
2 Washington.

3 (4) For the purposes of this section:

4 (a) "Electric utility" has the same meaning as defined in RCW  
5 19.29A.010.

6 (b) "Power plant" has the same meaning as defined in RCW  
7 80.80.010.

8 (5) This section expires January 1, 2026.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.56  
10 RCW to read as follows:

11 Any public record generated as a result of the review undertaken  
12 pursuant to section 1 of this act is exempt from public inspection  
13 and copying under this chapter.

14 NEW SECTION. **Sec. 3.** If specific funding for the purposes of  
15 this act, referencing this act by bill or chapter number, is not  
16 provided by June 30, 2023, in the omnibus appropriations act, this  
17 act is null and void.

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