
Public Safety Committee

HB 1419

Brief Description: Granting the governor authority to proclaim a state of emergency in the event of a substantial cybersecurity incident.

Sponsors: Representatives Hudgins, Morris and Stanford.

Brief Summary of Bill

- Authorizes the Governor to proclaim a state of emergency after finding that a security incident exists involving an imminent threat to communication and information resources.

Hearing Date: 1/30/17

Staff: Omeara Harrington (786-7136).

Background:

The Governor may proclaim a state of emergency after finding that a public disorder, disaster, energy emergency, or riot exists within the state that affects life, health, property, or public peace. A proclamation of a state of emergency must be in writing and signed by the Governor, and ends upon the Governor's issuance of a proclamation declaring its termination.

An emergency proclamation enables the Governor to prohibit specific activities, such as public gatherings, transfer of combustible materials, public possession of firearms, sale or purchase of alcohol, and the use of public streets. The Governor may also prohibit other activities as he or she reasonably believes necessary to help preserve and maintain life, health, property, or the public peace, and may waive or suspend specified statutory obligations and limitations. Powers granted to the Governor under a declared emergency are effective only within the area described in and during the time of proclamation.

A proclamation of emergency may serve as a prerequisite for accessing certain relief funding. A state of emergency is one of the bases under which the Legislature may appropriate moneys from

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the Budget Stabilization Account. In addition, a proclamation may open availability to a range of federal disaster recovery programs, and is a precondition for requesting interstate mutual aid through the Emergency Management Assistance Compact.

Summary of Bill:

The Governor may proclaim a state of emergency after finding that a security incident exists. A security incident is an accidental or deliberative event that results in or constitutes an imminent threat of the unauthorized access, loss, disclosure, modification, disruption, or destruction of communication and information resources.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.