
HOUSE BILL 1251

State of Washington

66th Legislature

2019 Regular Session

By Representatives Tarleton, Hudgins, and Wylie

Read first time 01/17/19. Referred to Committee on State Government & Tribal Relations.

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 officer, and each county

1 auditor to identify instances of security breaches of election
2 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 officer, attorney general, and the chairs and ranking
9 members of the appropriate legislative committees from the senate and
10 house of representatives that includes information on any instances
11 of security breaches identified under subsection (1) of this section
12 and options to increase the security of the election systems and
13 election data, and to prevent future security breaches. The report,
14 and any related material, data, or information provided pursuant to
15 subsection (1) of this section or used to assemble the report, may
16 only be distributed to, or otherwise shared with, the individuals
17 specifically mentioned in this subsection (3).

18 (4) For the purposes of this section:

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

22 (b) "Security breach" means:

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

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

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