

By: Israel, Capriglione, Minjarez, Cain

H.B. No. 1421

A BILL TO BE ENTITLED

AN ACT

relating to cybersecurity of voter registration lists and other election-related documents, systems, and technology.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 16, Election Code, is amended by adding Chapter 279 to read as follows:

CHAPTER 279. CYBERSECURITY OF ELECTION SYSTEMS

Sec. 279.001. DEFINITIONS. In this chapter:

(1) "County election officer" means an individual employed by a county as an elections administrator, voter registrar, county clerk, or other officer with responsibilities relating to the administration of elections.

(2) "Election data" means information that is created or managed in the operation of an election system.

(3) "Election system" means a voting system and the technology used to support the conduct of an election, including the election data processed or produced in the course of conducting an election, such as voter registration information, ballot information, collected and tabulated votes, election management processes and procedures, and other election-related documents and election data.

Sec. 279.002. ELECTION CYBERSECURITY: SECRETARY OF STATE.

(a) The secretary of state shall adopt rules defining classes of protected election data and establishing best practices for

1 identifying and reducing risk to the electronic use, storage, and
2 transmission of election data and the security of election systems.

3 (b) The secretary of state shall offer training on best
4 practices:

5 (1) on an annual basis, to all appropriate personnel
6 in the secretary of state's office; and

7 (2) on request, to county election officers in this
8 state.

9 (c) If the secretary of state becomes aware of a breach of
10 cybersecurity that impacts election data, the secretary shall
11 immediately notify the members of the standing committees of each
12 house of the legislature with jurisdiction over elections.

13 Sec. 279.003. ELECTION CYBERSECURITY: COUNTY ELECTION
14 OFFICERS. (a) A county election officer shall request training on
15 cybersecurity:

16 (1) from the secretary of state; and

17 (2) on an annual basis from another provider of
18 cybersecurity training, if the county election officer has
19 available state funds for that purpose.

20 (b) A county election officer shall request an assessment of
21 the cybersecurity of the county's election system from a provider
22 of cybersecurity assessments if the secretary of state recommends
23 an assessment and the necessary funds are available.

24 (c) If a county election officer becomes aware of a breach
25 of cybersecurity that impacts election data, the officer shall
26 immediately notify the secretary of state.

27 (d) To the extent that state funds are available for the

1 purpose, a county election officer shall implement cybersecurity
2 measures to ensure that all devices with access to election data
3 comply to the highest extent possible with rules adopted by the
4 secretary of state under Section 279.002.

5 SECTION 2. This Act takes effect September 1, 2019.