1   AN ACT

2   relating to cybersecurity of voter registration lists and other

3   election-related documents, systems, and technology.

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

5   SECTION 1. Title 16, Election Code, is amended by adding

6   Chapter 279 to read as follows:

7   CHAPTER 279. CYBERSECURITY OF ELECTION SYSTEMS

8   Sec. 279.001. DEFINITIONS. In this chapter:

9   (1) "County election officer" means an individual

10   employed by a county as an elections administrator, voter

11   registrar, county clerk, or other officer with responsibilities

12   relating to the administration of elections.

13   (2) "Election data" means information that is created

14   or managed in the operation of an election system.

15   (3) "Election system" means a voting system and the

16   technology used to support the conduct of an election, including

17   the election data processed or produced in the course of conducting

18   an election, such as voter registration information, ballot

19   information, collected and tabulated votes, election management

20   processes and procedures, and other election-related documents and

21   election data.

22   Sec. 279.002. ELECTION CYBERSECURITY: SECRETARY OF STATE.

23   (a) The secretary of state shall adopt rules defining classes of

24   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 annually request

15 training on cybersecurity from the secretary of state. The

16 secretary of state shall pay the costs associated with the training

17 with available state funds.

18 (b) A county election officer shall request an assessment of

19 the cybersecurity of the county's election system from a provider

20 of cybersecurity assessments if the secretary of state recommends

21 an assessment and the necessary funds are available.

22 (c) If a county election officer becomes aware of a breach

23 of cybersecurity that impacts election data, the officer shall

24 immediately notify the secretary of state.

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

26 purpose, a county election officer shall implement cybersecurity

27 measures to ensure that all devices with access to election data

1 comply to the highest extent possible with rules adopted by the

2 secretary of state under Section 279.002.

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

_____   _____
     President of the Senate   Speaker of the House

     I certify that H.B. No. 1421 was passed by the House on April 16, 2019, by the following vote: Yeas 121, Nays 15, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1421 on May 23, 2019, by the following vote: Yeas 115, Nays 23, 1 present, not voting.

                                     _____
                                        Chief Clerk of the House

     I certify that H.B. No. 1421 was passed by the Senate, with amendments, on May 21, 2019, by the following vote: Yeas 31, Nays 0.

                                     _____
                                        Secretary of the Senate

APPROVED: _____
               Date

          _____
              Governor