SENATE AMENDMENTS

2nd Printing

By: Israel, Capriglione, Minjarez, Cain   H.B. No. 1421

A BILL TO BE ENTITLED

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

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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.

ADOPTED

MAY 2 1 2019

Lotty Daw

Secretary of the Senate

By: _____Zaffirini_____

Substitute the following for __.B. No. _____:

By: _____Zaffirini_____

H.B. No. 1421

C.S.H.B. No. 1421

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

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

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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.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 21, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director   Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB1421** by Israel (Relating to cybersecurity of voter registration lists and other election-related documents, systems, and technology.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

Based on analysis by the Secretary of State and Department of Information Resources, it is assumed that the provisions of the bill relating to elections cybersecurity could be absorbed using existing resources.

Local Government Impact

According to the City of Austin, no significant fiscal implication to their city is anticipated.

Source Agencies: 307 Secretary of State, 313 Department of Information Resources
LBB Staff: WP, SD, JMO, CMa, SLE, NV, AF

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 14, 2019

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: John McGeady, Assistant Director   Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB1421** by Israel (relating to cybersecurity of voter registration lists and other election-related documents, systems, and technology.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

Based on analysis by the Secretary of State and Department of Information Resources, it is assumed that the provisions of the bill relating to elections cybersecurity could be absorbed using existing resources.

Local Government Impact

According to the City of Austin, no significant fiscal implication to their city is anticipated.

Source Agencies: 307 Secretary of State, 313 Department of Information Resources
LBB Staff: WP, JMO, CMa, SLE, NV, AF

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 10, 2019

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: John McGeady, Assistant Director   Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB1421** by Israel (Relating to cybersecurity of voter registration lists and other election-related documents, systems, and technology.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

Based on analysis by the Secretary of State and Department of Information Resources, it is assumed that the provisions of the bill relating to elections cybersecurity could be absorbed using existing resources.

Local Government Impact

According to the City of Austin, no significant fiscal implication to their city is anticipated.

Source Agencies: 307 Secretary of State, 313 Department of Information Resources
LBB Staff: WP, CMa, SLE, NV, JMO, AF

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 18, 2019

TO: Honorable Stephanie Klick, Chair, House Committee on Elections

FROM: John McGeady, Assistant Director   Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB1421** by Israel (Relating to cybersecurity of voter registration lists and other election-related documents, systems and technology.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

Based on analysis by the Secretary of State and Department of Information Resources, it is assumed that the provisions of the bill relating to elections cybersecurity could be absorbed using existing resources.

Local Government Impact

According to the City of Austin, no significant fiscal implication to their city is anticipated.

Source Agencies: 307 Secretary of State, 313 Department of Information Resources
LBB Staff: WP, SLE, NV, JMO, AF

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 9, 2019

TO: Honorable Stephanie Klick, Chair, House Committee on Elections

FROM: John McGeady, Assistant Director   Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB1421** by Israel (Relating to cybersecurity of voter registration lists and other election-related documents, systems, and technology.), **As Introduced**

No significant fiscal implication to the State is anticipated.

Based on analysis by the Secretary of State and Department of Information Resources, it is assumed that the provisions of the bill relating to elections cybersecurity could be absorbed using existing resources.

Local Government Impact

According to the City of Austin, no significant fiscal implication to their city is anticipated.

Source Agencies: 307 Secretary of State, 313 Department of Information Resources
LBB Staff: WP, SLE, NV, JMO, AF