

## **BILL ANALYSIS**

S.B. 851  
By: Blanco  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

As voter databases and election systems are increasingly managed in digital formats, the risk of cyberattacks compromising these databases and systems has also increased. It came to light that, prior to the 2016 elections, a number of states had their election systems either probed or compromised. Moreover, the U.S. Department of Homeland Security reported an increase in the number of attempted cyberattacks on election databases ahead of the 2018 midterm elections.

The Department of Information Resources (DIR) currently houses the Texas Cybersecurity Council, which includes membership from state agencies and expert members of the public to collaborate and provide recommendations on cybersecurity matters that implicate the state. The state's elections administrator, the Office of the Secretary of State, does not currently have an in-house cybersecurity specialist, nor does it have a formal relationship with DIR or other state cybersecurity assets to collaborate on issues of cybersecurity that impact elections.

S.B. 851 adds an employee of the elections division of the Office of the Secretary of State as a member of the council to help ensure that state election officials will be better informed about potential cyberattacks relating to elections and increase the flow of information between state election officials and cybersecurity experts with the goal of maintaining overall election security.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 851 amends the Government Code to require the Texas Cybersecurity Council to include one member who is an employee of the elections division of the Office of the Secretary of State.

### **EFFECTIVE DATE**

September 1, 2021.