1-1 By: Israel, et al. (Senate Sponsor - Zaffirini)   H.B. No. 1421
1-2   (In the Senate - Received from the House April 16, 2019;
1-3 April 17, 2019, read first time and referred to Committee on State
1-4 Affairs; May 15, 2019, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 15, 2019, sent to printer.)

1-7   COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9 Huffman	X			
1-10 Hughes	X			
1-11 Birdwell	X			
1-12 Creighton	X			
1-13 Fallon	X			
1-14 Hall	X			
1-15 Lucio	X			
1-16 Nelson	X			
1-17 Zaffirini	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1421   By: Zaffirini

1-19   A BILL TO BE ENTITLED
1-20   AN ACT

1-21 relating to cybersecurity of voter registration lists and other
1-22 election-related documents, systems, and technology.
1-23   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-24   SECTION 1. Title 16, Election Code, is amended by adding
1-25 Chapter 279 to read as follows:
1-26   CHAPTER 279. CYBERSECURITY OF ELECTION SYSTEMS
1-27   Sec. 279.001. DEFINITIONS. In this chapter:
1-28   (1) "County election officer" means an individual
1-29 employed by a county as an elections administrator, voter
1-30 registrar, county clerk, or other officer with responsibilities
1-31 relating to the administration of elections.
1-32   (2) "Election data" means information that is created
1-33 or managed in the operation of an election system.
1-34   (3) "Election system" means a voting system and the
1-35 technology used to support the conduct of an election, including
1-36 the election data processed or produced in the course of conducting
1-37 an election, such as voter registration information, ballot
1-38 information, collected and tabulated votes, election management
1-39 processes and procedures, and other election-related documents and
1-40 election data.
1-41   Sec. 279.002. ELECTION CYBERSECURITY: SECRETARY OF STATE.
1-42 (a) The secretary of state shall adopt rules defining classes of
1-43 protected election data and establishing best practices for
1-44 identifying and reducing risk to the electronic use, storage, and
1-45 transmission of election data and the security of election systems.
1-46   (b) The secretary of state shall offer training on best
1-47 practices:
1-48   (1) on an annual basis, to all appropriate personnel
1-49 in the secretary of state's office; and
1-50   (2) on request, to county election officers in this
1-51 state.
1-52   (c) If the secretary of state becomes aware of a breach of
1-53 cybersecurity that impacts election data, the secretary shall
1-54 immediately notify the members of the standing committees of each
1-55 house of the legislature with jurisdiction over elections.
1-56   Sec. 279.003. ELECTION CYBERSECURITY: COUNTY ELECTION
1-57 OFFICERS. (a) A county election officer shall annually request
1-58 training on cybersecurity from the secretary of state. The
1-59 secretary of state shall pay the costs associated with the training
1-60 with available state funds.

2-1   (b) A county election officer shall request an assessment of
2-2 the cybersecurity of the county's election system from a provider
2-3 of cybersecurity assessments if the secretary of state recommends
2-4 an assessment and the necessary funds are available.
2-5   (c) If a county election officer becomes aware of a breach
2-6 of cybersecurity that impacts election data, the officer shall
2-7 immediately notify the secretary of state.
2-8   (d) To the extent that state funds are available for the
2-9 purpose, a county election officer shall implement cybersecurity
2-10 measures to ensure that all devices with access to election data
2-11 comply to the highest extent possible with rules adopted by the
2-12 secretary of state under Section 279.002.
2-13   SECTION 2. This Act takes effect September 1, 2019.

2-14   * * * * *