

Multiple Agency Fiscal Note Summary

Bill Number: 1251 HB	Title: Election security breaches
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Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of the Secretary of State	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Consolidated Technology Services	.0	0	0	.0	0	0	.0	0	0
Military Department	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of the Secretary of State	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Consolidated Technology Services	.0	0	0	.0	0	0	.0	0	0
Military Department	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

NONE

Prepared by: Gwen Stamey, OFM	Phone: (360) 902-9810	Date Published: Final 2/17/2019
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 55904

FNS029 Multi Agency rollup

Individual State Agency Fiscal Note

Bill Number: 1251 HB	Title: Election security breaches	Agency: 085-Office of the Secretary of State
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Part I: Estimates

☒ No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Desiree Omli	Phone: 360-786-7383	Date: 02/10/2019
Agency Preparation: Tara Pritchett	Phone: 360-704-5240	Date: 02/12/2019
Agency Approval: Sheri Nelson	Phone: 360-902-4141	Date: 02/12/2019
OFM Review: Gwen Stamey	Phone: (360) 902-9810	Date: 02/17/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

No fiscal impact.

This bill requires the Office of the Secretary of State to report to the legislature on any security breaches in state or county election systems. Should a breach occur, the Security Operations Center (SOC) would be, as part of their normal job duties, investigating and reporting on such a breach; therefore there is no fiscal impact.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1251 HB	Title: Election security breaches	Agency: 100-Office of Attorney General
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Part I: Estimates

☒ No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

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- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Desiree Omli	Phone: 360-786-7383	Date: 02/10/2019
Agency Preparation: Stacia Hollar	Phone: (360) 664-0865	Date: 02/12/2019
Agency Approval: Dianna Wilks	Phone: 360-709-6463	Date: 02/12/2019
OFM Review: Gwen Stamey	Phone: (360) 902-9810	Date: 02/17/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

No fiscal impact. This legislation is not expected to generate any costs or savings for the Attorney General’s Office (AGO). The AGO completed an analysis for legal services and fiscal impact from the most likely state agencies.

The AGO Government Compliance & Enforcement (GCE) division has reviewed this bill and determined it will not significantly increase the division’s workload in representing the Corporations Division of the Office of the Secretary of State (SOS). If a public disclosure case arising from the provisions of this bill came to GCE, the AGO assumes the issue will be litigated only once and will be a largely legal issue. As a result, GCE assumes that any additional work will be handled within existing resources. Costs are not included in this request.

The Solicitor General’s Office has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the Secretary of State (SOS). This bill requires SOS to consult with and submit an annual report to certain public officials that identifies security breaches of elections systems or election data and provides options to increase elections security. Any legal services related to the report is assumed to be nominal and within our normal scope. Costs are not included in this request.

The AGO Transportation & Public Construction (TPC) division has reviewed this bill and determined it will not increase or decrease the division’s workload in representing the Office of the Chief Information Officer (OCIO). If a security breach occurs, this will require the same kind of work already performed by the OCIO team. New legal services are assumed to be nominal and costs are not included in this request.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1251 HB	Title: Election security breaches	Agency: 163-Consolidated Technology Services
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Part I: Estimates

☒ No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Desiree Omli	Phone: 360-786-7383	Date: 02/10/2019
Agency Preparation: Christina Winans	Phone: 360-407-8908	Date: 02/14/2019
Agency Approval: Tim Gallivan	Phone: (360) 407-8215	Date: 02/14/2019
OFM Review: Bryan Way	Phone: (360) 902-0650	Date: 02/14/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This bill has no fiscal impact on Consolidated Technology Services (WaTech).

HB 1251 requires the Secretary of State (SOS) to report instances of security breaches, preventative measures, and options for heightened security on an annual basis. The State Chief Information Officer (State CIO) must be available to consult for the development of this report.

Section 2 adds a new section to RCW 29A.12 requiring:

- (1) The SOS to consult annually with Attorney General Office (AGO), the State CIO and county auditors to identify security breaches of election systems or data.
- (2) The SOS must identify if the breach was caused by a foreign entity, domestic entity or both.
- (3) The SOS must submit a report annually by December 31 to the Governor, Lieutenant Governor, the State CIO, Attorney General Office (AGO), and the chairs and ranking members of the appropriate legislative committees from the Senate and House of Representatives. The report must identify the number of breaches, options to increase security of the election system and data, and measures to prevent future breaches.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

None.

Section 2 (1) requires SOS to consult with AGO, the State CIO and county auditors annually to identify security breaches of election system or data. Although the bill specifies the State CIO, the function will be done by the Office of Cyber Security (OCS), a part of Office of Chief Information Officer (OCIO) within WaTech.

As OCS already provides consultation services for any data breaches within its normal portfolio of services, this bill has no impact on WaTech.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

Individual State Agency Fiscal Note

Bill Number: 1251 HB	Title: Election security breaches	Agency: 245-Military Department
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Part I: Estimates

☒ No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Desiree Omli	Phone: 360-786-7383	Date: 02/10/2019
Agency Preparation: Regan Hesse	Phone: 253-512-8115	Date: 02/14/2019
Agency Approval: Regan Hesse	Phone: 253-512-8115	Date: 02/14/2019
OFM Review: Bryan Way	Phone: (360) 902-0650	Date: 02/14/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

There is no fiscal impact to the Military Department. If the Office of the Secretary of State elected to use National Guard resources for elections security assessments, as has been done in the past, the Military Department assumes the Secretary of State would reimburse for these services.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1251 HB

Title: Election security breaches

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

Part III: Preparation and Approval

Fiscal Note Analyst: Renee Martine-Tebow	Phone: 360-725-5045	Date: 02/15/2019
Leg. Committee Contact: Desiree Omli	Phone: 360-786-7383	Date: 02/10/2019
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 02/15/2019
OFM Review: Gwen Stamey	Phone: (360) 902-9810	Date: 02/17/2019

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

This bill would require the secretary of state to annually consult with each county auditor to identify instances of security breaches of election systems or election data.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

This bill would have no impact on local government expenditures. County auditors currently work with the Office of the Secretary of State regarding election security breaches.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

This bill would have no impact on local government revenues.