8188

IN SENATE

September 2, 2016

- Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules
- AN ACT to amend the executive law, in relation to analyzing and reporting on the vulnerability of electronically stored voter and election information

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The executive law is amended by adding a new section 711-b 2 to read as follows:

3 S 711-B. ANALYSIS AND REPORT ON THE VULNERABILITY OF ELECTRONICALLY 4 STORED VOTER AND ELECTION INFORMATION. 1. THE COMMISSIONER, IN CONJUNC-TION WITH THE STATE BOARD OF ELECTIONS AND THE DIRECTOR OF THE OFFICE OF 5 INFORMATION TECHNOLOGY SERVICES SHALL CONDUCT A VULNERABILITY 6 ANALYSIS 7 AND REPORT, REGARDING THE VULNERABILITY OF ELECTRONICALLY STORED VOTER AND ELECTION RELATED INFORMATION HELD BY EITHER THE 8 STATE BOARD OF AND/OR COUNTY BOARDS OF ELECTION. SUCH VULNERABILITY ANALYSIS 9 ELECTIONS 10 SHALL INCLUDE BUT NOT BE LIMITED TO AN EXAMINATION OF THE VULNERABILITY REGISTRATION RECORDS AND VOTING MACHINES, TO ELECTRONIC HACKING AND 11 OF CYBER-ATTACKS FROM BOTH FOREIGN AND DOMESTIC SOURCES. 12

13 2. SUCH VULNERABILITY ANALYSIS AND REPORT SHALL MAKE RECOMMENDATIONS SECURING INFORMATION AND PREVENTING THE CORRUPTION OF 14 REGARDING SUCH 15 VOTER AND ELECTION RELATED INFORMATION BY HACKING OR CYBER-ATTACK. THE 16 COMMISSIONER SHALL REPORT SUCH FINDINGS BIANNUALLY TO THE GOVERNOR, 17 TEMPORARY PRESIDENT OF THE SENATE, MINORITY LEADER OF THE SENATE, SPEAK-18 ER OF THE ASSEMBLY, AND MINORITY LEADER OF THEASSEMBLY. THE FIRST 19 REPORT SHALL BE MADE WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS 20 SECTION.

3. ALL REPORTS AND OTHER INFORMATION REQUIRED TO BE REPORTED UNDER
 THIS SECTION SHALL NOT BE SUBJECT TO DISCLOSURE UNDER ARTICLE SIX OF THE
 PUBLIC OFFICERS LAW.

24 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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