S T A T E O F N E W Y O R K

8188

I N S E N A T E

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:

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

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

2. SUCH VULNERABILITY ANALYSIS AND REPORT SHALL MAKE RECOMMENDATIONS REGARDING SECURING SUCH INFORMATION AND PREVENTING THE CORRUPTION OF VOTER AND ELECTION RELATED INFORMATION BY HACKING OR CYBER-ATTACK. THE COMMISSIONER SHALL REPORT SUCH FINDINGS BIANNUALLY TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE, MINORITY LEADER OF THE SENATE, SPEAKER OF THE ASSEMBLY, AND MINORITY LEADER OF THE ASSEMBLY. THE FIRST REPORT SHALL BE MADE WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS 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.

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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