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                          I N   S E N A T E

                         September 2, 2016
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    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 report-
      ing on the vulnerability of electronically stored voter and election
      information

      THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
    BLY, 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-
 5 TION WITH THE STATE BOARD OF ELECTIONS AND THE DIRECTOR OF THE OFFICE OF
 6 INFORMATION TECHNOLOGY SERVICES SHALL CONDUCT A VULNERABILITY ANALYSIS
 7 AND REPORT, REGARDING THE VULNERABILITY OF ELECTRONICALLY STORED VOTER
 8 AND ELECTION RELATED INFORMATION HELD BY EITHER THE STATE BOARD OF
 9 ELECTIONS AND/OR COUNTY BOARDS OF ELECTION. SUCH VULNERABILITY ANALYSIS
10 SHALL INCLUDE BUT NOT BE LIMITED TO AN EXAMINATION OF THE VULNERABILITY
11 OF REGISTRATION RECORDS AND VOTING MACHINES, TO ELECTRONIC HACKING AND
12 CYBER-ATTACKS FROM BOTH FOREIGN AND DOMESTIC SOURCES.
13   2. SUCH VULNERABILITY ANALYSIS AND REPORT SHALL MAKE RECOMMENDATIONS
14 REGARDING SECURING SUCH INFORMATION AND PREVENTING THE CORRUPTION OF
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 THE ASSEMBLY. THE FIRST
19 REPORT SHALL BE MADE WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS
20 SECTION.
21   3. ALL REPORTS AND OTHER INFORMATION REQUIRED TO BE REPORTED UNDER
22 THIS SECTION SHALL NOT BE SUBJECT TO DISCLOSURE UNDER ARTICLE SIX OF THE
23 PUBLIC OFFICERS LAW.
24   S 2. This act shall take effect immediately.