

1 (2) The following divisions of the Department of State
2 are established:

3 (a) Division of Elections.

4 1. Bureau of Voting Systems Certification.

5 2. Bureau of Voting Systems Security.

6 (b) Division of Historical Resources.

7 (c) Division of Corporations.

8 (d) Division of Library and Information Services.

9 (e) Division of Cultural Affairs.

10 (f) Division of Administration.

11 Section 2. Section 101.018, Florida Statutes, is
12 created to read:

13 101.018 Bureau of Voting Systems Security.--

14 (1) There is created a Bureau of Voting Systems
15 Security within the Division of Elections of the Department of
16 State which shall be responsible for ensuring the security of
17 the voting systems that are certified for use in this state.

18 (2) The bureau shall:

19 (a) Continuously test the hardware and software of the
20 voting systems for the purpose of identifying security
21 problems.

22 (b) Test any voting system in response to a credible
23 published report of security problems.

24 (c) Notify the manufacturer of the voting system if a
25 security problem is identified.

26 (d) Work with the manufacturer of the voting system to
27 develop a remedy for the identified security problem.

28 (3) The bureau shall provide a monthly written report
29 to the director of the Division of Elections and the Secretary
30 of State for each certified voting system which must, at a
31 minimum:

- 1 (a) Identify each security problem;
2 (b) Identify the source of any potential security
3 breach resulting from the problem as "external," such as a
4 security breach involving voters, or "internal," such as a
5 security breach involving employees of the supervisor of
6 elections, poll workers, or manufacturer's field
7 representatives;
8 (c) Detail the scenarios in which the potential threat
9 could be realized;
10 (d) Discuss the likelihood of success for each of the
11 scenarios;
12 (e) Identify the scope of the potential threat,
13 detailing factors such as the number of machines that might be
14 impacted, the number of votes that could be affected in a
15 statewide election, and the number of counties that could be
16 affected; and
17 (f) Based on paragraphs (a)-(e) and any other relevant
18 factors, classify the security threat posed by the problem as
19 "high," "medium," or "low."
20 (4)(a) A security problem that is identified in the
21 bureau's report must be remedied within 60 days after the
22 manufacturer receives notice of the problem or 14 days before
23 the next regularly scheduled primary or general election,
24 whichever occurs first. A problem shall be considered remedied
25 when the bureau so certifies in writing to the division
26 director and, in the case of a high threat, to the Secretary
27 of State.
28 (b) Any manufacturer who fails to remedy a security
29 problem shall be fined \$25,000 per day for each day following
30 the period specified in paragraph (a). In addition, if the
31 failure to remedy a medium-level or high-level security

1 problem is proximate to a scheduled primary or general
2 election, the division shall adopt emergency rules to protect
3 the integrity of the voting process.

4 Section 3. This act shall take effect July 1, 2007.

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7 SENATE SUMMARY

8 Establishes the Bureau of Voting Systems Security within
9 the Division of Elections. Provides duties of the bureau
10 and requires that it make certain reports to the Division
11 of Elections and the Secretary of State. Provides that a
penalty be imposed if the manufacturer of a voting system
fails to remedy a problem within a specified time.
Authorizes the division to adopt emergency rules.

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