
SUBSTITUTE HOUSE BILL 1466

State of Washington

64th Legislature

2015 Regular Session

By House General Government & Information Technology (originally sponsored by Representatives Hudgins, Magendanz, Stanford, Smith, S. Hunt, and Ormsby)

1 AN ACT Relating to encryption of data on state information
2 technology systems; and adding a new section to chapter 43.41A RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.41A
5 RCW to read as follows:

6 (1) A classification schedule for data stored on or passing to,
7 through, or from state data networks is established in the
8 information technology standards maintained by the office.

9 (2) State agencies must classify all data stored on state data
10 systems or elsewhere according to the schedule established under
11 subsection (1) of this section.

12 (3) State agency data falling in the most sensitive classes that
13 are not stored on or transmitted within the state governmental
14 network must be encrypted using industry standard encryption. For the
15 purposes of this section, "encryption" means the protection of data
16 in electronic or optical form, in storage or in transit, using:

17 (a) An encryption technology that has been adopted by an
18 established standards-setting body including, but not limited to, the
19 national institute of standards and technology that issues the
20 federal information processing standards, which technology must

1 render data indecipherable in the absence of associated cryptographic
2 keys necessary to enable decryption; and

3 (b) Appropriate management and safeguarding of cryptographic keys
4 to protect the integrity of encryption using guidelines promulgated
5 by an established standards-setting body including, but not limited
6 to, the national institute of standards and technology.

7 (4) Agencies storing or transmitting data in the most sensitive
8 classes on or within the state governmental network must submit a
9 plan to the office for encrypting these data. The plan must be
10 submitted as soon as can reasonably be expected, but no later than
11 September 1, 2016, and must include a timeline for implementation and
12 a total cost estimate. The office must review and approve the plan or
13 work with the agency to modify the plan to align with office
14 policies. Agencies are encouraged to seek the advice of the office as
15 early in the development of their plans as possible to facilitate
16 expedient approval. The office must submit a report summarizing the
17 final, approved plans to the appropriate committees of the
18 legislature by the beginning of the 2017 legislative session. The
19 report must include timelines and cost estimates, but may exclude
20 information that could be used to identify specific vulnerabilities
21 in the state's data systems.

22 (5) Agencies not on the state governmental network must follow
23 the standards established in subsection (3) of this section when
24 transmitting or storing information in the most sensitive classes
25 outside the agency's secure network.

26 (6) The office shall adopt data encryption standards with which
27 all state agencies must comply. The standards must include technical
28 requirements for encryption beyond those specified in subsections
29 (3), (4), and (5) of this section that are appropriate to each data
30 classification established under subsection (1) of this section.

31 (7) The office shall update and distribute the encryption
32 standards to state information technology directors annually, by the
33 end of each fiscal year, to reflect the changing state of information
34 technology. The annual distribution must include a timeline for
35 phase-in of any new technologies required under the updated
36 standards.

37 (8) The office may grant individual waivers to the policies
38 established in this section.

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