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**SENATE COMMITTEE ON  
ELECTIONS AND CONSTITUTIONAL AMENDMENTS**  
Senator Scott Wiener, Chair  
2025 - 2026 Regular

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**Bill No:** AB 2281 **Hearing Date:** 6/30/26  
**Author:** Berman  
**Version:** 2/19/26  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Scott Matsumoto

**Subject:** Office of Elections Cybersecurity

**DIGEST**

This bill requires the Secretary of State (SOS) to assess whether additional state resources are needed to replace election cybersecurity resources previously provided by the federal government and permits the Office of Elections Cybersecurity (OEC) to consult with academic researchers to develop best practices for protecting against threats to election cybersecurity.

**ANALYSIS**

Existing law:

- 1) Establishes, under the SOS, the OEC and tasks the OEC with the following:
  - a) Coordinating efforts between the SOS and local election officials to reduce the likelihood and severity of cyber incidents that could interfere with the security or integrity of elections in the state.
  - b) Monitoring and counteracting false or misleading information regarding the electoral process that is published online or on other platforms and that may suppress voter participation or cause confusion and disruption of the orderly and secure administration of elections.
- 2) Requires the OEC to do all of the following:
  - a) Coordinate between federal, state, and local agencies the sharing of information on threats to election cybersecurity, risk assessment, and threat mitigation in a timely manner and in a manner that protects sensitive information.
  - b) In consultation with federal, state, and local agencies and private organizations, develop best practices for protecting against threats to election cybersecurity.
  - c) In consultation with state and local agencies, develop and include best practices for cyber incident responses in emergency preparedness plans for elections.
  - d) Identify resources, such as protective security tools, training, and other resources available to state and county election officials.

- e) Advise the SOS on issues related to election cybersecurity, and make recommendations for changes to state laws, regulations, and policies to further protect election infrastructure.
- f) Serve as a liaison between the SOS, other state agencies, federal agencies, and local election officials on election cybersecurity issues.
- g) Coordinate efforts within the SOS to protect the security of internet-connected elections-related resources, including the state's online voter registration system, the statewide voter registration database (VoteCal), the SOS' election night results website, online campaign and lobbying filing and disclosure system developed by the SOS (CalAccess), and other parts of the SOS' website.
- h) Assess the false or misleading information regarding the electoral process that is published online or other platforms, mitigate the false or misleading information, and educate voters, especially new and unregistered voters, with valid information from election officials or the SOS.

This bill:

- 1) Requires the SOS to assess whether additional state resources are needed to replace election cybersecurity resources previously provided by the federal government.
- 2) Permits the OEC to consult with academic researchers to develop best practices for protecting against threats to election cybersecurity.
- 3) Makes technical changes.

### **BACKGROUND**

Office of Elections Cybersecurity. AB 3075 (Berman), Chapter 241, Statutes of 2018, established the OEC within the SOS' office. The OEC has two primary missions. First, it is responsible for coordinating efforts between the SOS and local election officials to reduce the likelihood and severity of cyber incidents that could interfere with the security or integrity of elections in California. The OEC is also tasked with monitoring and counteracting false or misleading information regarding the electoral process that is published online or on other platforms that may suppress voter participation, cause confusion, or disrupt the ability to ensure a secure election. According to the OEC's website, the office serves California with the sole purpose of keeping every Californian's vote safe from online interference, especially the spread of mis- and disinformation. The SOS also provides information on how to identify incorrect election information, information on where to find correct election information, and ways to report false or misleading information.

Additionally, the OEC, known as the Election Security Program, works with federal, state, and local partners to share election security information and best practices. This includes the Department of Homeland Security, the Federal Bureau of Investigation, California Department of Technology, California Office of Emergency Services, California Highway Patrol, and county election officials. Cybersecurity trainings with

federal and state partners, as well as organizing tabletop exercises and drills for county election officials are also hosted by the OEC.

Cybersecurity and Infrastructure Security Agency. The federal Cybersecurity and Infrastructure Security Agency (CISA) works with partners at every level to coordinate efforts relating to information on critical infrastructure in the United States. This includes election security and cybersecurity. In 2025, 130 CISA positions were eliminated and funding for information-sharing programs under CISA were terminated. This led to new concerns with the agency’s ability to provide information and combat domestic and foreign cyber threats.

**COMMENTS**

- 1) Author’s Statement. I was proud to author legislation in 2018 to create the OEC, which is tasked with coordinating efforts between federal, state, and local officials to reduce the likelihood and severity of cyber incidents that threaten the integrity of California elections. Unfortunately, the Trump Administration has cut critical funding, coordination, and support that helped states guard against threats to our election systems. Given the loss of federal election cybersecurity infrastructure, this bill would direct OEC to assess if additional state resources are needed to ensure that California officials continue to have the information and tools necessary to defend our democracy from cyber-attacks. Additionally, this bill would strengthen OEC by authorizing them to consult with academic researchers, allowing them to utilize their expertise in support of OEC’s mission.
  
- 2) Technical Amendment. This bill amends the existing framework of the OEC. One of the requirements of the OEC is to assess false or misleading information regarding the electoral process, mitigate false or misleading information, and educate voters, especially new and unregistered voters, with valid information from election officials or the SOS. The term, “unregistered,” is ambiguous and potentially conflicting because a person is or is not a voter. The author notes this provision is aimed at educating voters, such as preregistered voters. Committee staff recommends the bill be amended to replace “unregistered” with “prospective” voters.

**RELATED/PRIOR LEGISLATION**

AB 3075 (Berman), Chapter 241, Statutes of 2018, to establish the OEC within the SOS’ office.

**PRIOR ACTION**

Assembly Floor:	55 - 9
Assembly Appropriations Committee:	10 - 1
Assembly Elections Committee:	6 - 1

**POSITIONS**

**Sponsor:** Author

**Support:** None received

**Oppose:** None received

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