



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Office of the Secretary of State

- Preproposal Statement of Inquiry was filed as WSR 12-05-015 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)
Electronic Authentication

Hearing location(s):
801 Capitol Way S
2nd Floor Conference Room
Olympia, WA 98504

Date: 05/28/2012 Time: 9:00 am

Date of intended adoption: 5/23/2012
(Note: This is NOT the effective date)

Submit written comments to:

Name: Pamela Floyd
Address: PO Box 40234
Olympia, WA 98504-0234

e-mail Pam.Floyd@sos.wa.gov
fax (360)586-4989 by (date) 5/22/2012

Assistance for persons with disabilities: Contact

Sharon Baker by 05/22/2012

TTY (800) 422-8683 or (360) 725-0312

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

Updating references and creating consistency between state and federal standards.

Reasons supporting proposal:

Current rules reference NIST (National Institute of Standards and Technology) standards that are no longer applicable. Language is changed to reflect new standards.

Statutory authority for adoption: RCW 19.34.030

Statute being implemented: 19.34.030 (2)(c)

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE
April 6, 2012

NAME (type or print)
Steve Excell

SIGNATURE

TITLE
Assistant Secretary of State

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 10, 2012

TIME: 10:42 AM

WSR 12-09-029

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization)

Division of Corporations, Office of the Secretary of State

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Pamela Floyd	801 Capitol Way S, Olympia, WA 98504	(360) 725-0310
Implementation.... Pamela Floyd	801 Capitol Way S, Olympia, WA 98504	(360) 725-0310
Enforcement.....		()

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

No additional costs are imposed on businesses

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: These rules are adopting by reference without material change, Washington state statutes and are not required to do a cost-benefit analysis per RCW 34.05.328 (5)(iii).

AMENDATORY SECTION (Amending WSR 99-02-047, filed 1/4/99, effective 2/4/99)

WAC 434-180-360 Trustworthy system. A system shall be regarded as trustworthy if it materially satisfies ~~((the Common Criteria (CC) Protection Profile (PP) for Commercial Security 2 (CS2), (CCPPCS),))~~ current information security standards and guidelines, including minimum requirements for federal information systems, developed by the National Institute of Standards and Technology (NIST). ~~((The determination whether a departure from CCPPCS is material shall be governed by WAC 434-180-240(2).))~~ For purposes of this chapter, ~~((CCPPCS))~~ compliance shall be interpreted in a manner that is reasonable in the context in which a system is used and is consistent with other state and federal laws. ~~((Until such time as the referenced standard is adopted by NIST, the standard applicable for purposes of this chapter shall be the draft of CCPPCS dated July 13, 1998.))~~