

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Originating**

### **House Bill 5688**

By Delegates Phillips and Foggin

[Originating in the Committee on Government  
Organization; Reported on February 27, 2026]

1 A BILL to amend and reenact Chapter 3, Article 1A, of the Code of West Virginia, 1931, as  
2 amended, by adding thereto a new section designated §3-1A-6A relating to the creation of  
3 the West Virginia Task Force on Election Integrity; charged with identifying optimal, timely,  
4 fully secure, fully transparent and auditable vote tabulation and election management  
5 methods and/or systems.

*Be it enacted by the Legislature of West Virginia:*

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### CHAPTER 3. ELECTIONS.

#### ARTICLE 1A. STATE ELECTION COMMISSION AND SECRETARY OF STATE.

**§3-1A-6A. West Virginia Task Force on Election Integrity; charged with identifying optimal, timely, fully secure, fully transparent and auditable vote tabulation and election management methods and systems.**

1 (a) As used in this Section, "Task Force" means the West Virginia Task Force on Election  
2 Integrity established by this section.

3 (b) The West Virginia Task Force on Election Integrity is created and shall be organized  
4 within the Office of the Secretary of State.

5 (c) The Task Force shall be composed of the following members:

6 (1) All members of the bipartisan State Election Commission, including the Secretary of  
7 State and four members appointed by the Governor pursuant to section 1 of this Article;

8 (2) Four ex officio, non-voting members from the House of Delegates and State Senate,  
9 with one each appointed by the Speaker of the House of Delegates and President of the Senate  
10 respectively; and one each appointed by the Minority Leader of the House of Delegates and the  
11 Minority Leader the Senate, respectively;

12 (3) One member representing the cybersecurity industry with experience relevant to the  
13 work of the Task Force, appointed by the Governor with the advice and consent of the Senate and  
14 House members of the Task Force.

15 (4) Four citizen members with experience relevant to the work of the Task Force, appointed  
16 by the Governor with the advice and consent of the Senate and House members of the Task  
17 Force.

18 (5) Two county clerks appointed by the Governor with the advice and consent of the  
19 Senate and House members of the Task Force.

20 (d) The Governor shall designate the Chair of the Task Force, which designee shall be in  
21 addition to those members listed in §3-1A-6A(c).

22 (e) Notwithstanding the powers and duties of the State Election Commission to  
23 recommend election policies and practices, review the work of the Secretary of State, consider  
24 and study election practices of other jurisdictions, advise and make recommendations to the  
25 Governor relative to election practices and policies in the State as provided in section 5 of this  
26 Article, the responsibilities of the Task Force shall include, but not be limited to, the following:

27 (1) Research all feasible, secure methods and secure technologies in order to identify and  
28 recommend to the Legislature any statutory changes necessary to ensure West Virginia elections  
29 are administered with modern technology that is the optimal choice for a timely, fully secure, fully  
30 transparent, and auditable elections; and

31 (2) The Task Force shall research thoroughly:

32 (A) The minimum necessary technical specifications of any:

33 (i) voting equipment or associated technology utilized in the voting process;

34 (ii) systems, software, and cloud computing used in conjunction with election  
35 infrastructure; and

36 (iii) The feasibility of hand counting hand marked paper ballots at the precinct level.

37 (2) Monitor, review, and take into consideration any relevant information, reports, findings  
38 or orders issued by Federal agencies including the U.S. Election Assistance Commission,  
39 National Institute of Standards and Technology, Department of Homeland Security, U.S. Office of  
40 the Director of National Intelligence, and the President of the United States, regarding known or  
41 suspected, malware, malicious code or source code, system design or operation vulnerabilities, or  
42 other internal or external threats to critical election infrastructure;

43 (3) Assess using publicly available information, materials, and reports all election software,  
44 hardware, equipment, and accessories, to determine whether it is:

45 (i) designed, produced, owned, or licensed by any person or entity owned, operated, or  
46 majority-controlled by a foreign company, domestic company registered in another country if a  
47 domesticated subsidiary of a foreign corporation, or by a person who is not a United States citizen;  
48 or

49 (ii) produced, in whole or in part, in a foreign country subject to the jurisdiction of foreign  
50 adversaries;

51 (4) Identify methods and policies that can be implemented in accordance with law to  
52 ensure compliance with W. Va. Code § 3-4A-9(14)(f) and (15), which prohibit the use of any  
53 networked devices in voting equipment, including but not limited to a wireless modem, cellular,  
54 Bluetooth, or other wireless computer networking, intranet, ethernet, internet, other computer  
55 networking capability;

56 (5) forensically investigate any potential vulnerability caused by the existence of disabled  
57 networking capabilities;

58 (6) Determine whether the standards set forth in W. Va. Code 3-4A-1 et seq. sufficiently  
59 prevent the opportunity for election equipment, including voting machines and electronic poll  
60 books, purchased by local jurisdictions for use in West Virginia elections to be susceptible to ballot  
61 harvesting, ballot trafficking, algorithmic manipulation of votes or vote tabulations, cyber-attack or  
62 manipulation, inaccurate voter registration rolls, manipulated electronic tabulation of votes by any

63 electronic voting system, the compromise or corruption of the tabulation of votes, and of votes  
64 being electronically counted or tabulated with decimal values instead of a whole numeric value of  
65 one (1) per vote;

66 (7) Determine whether the Task Force is duplicative of the work and efforts of the State  
67 Election Commission that is appointed by the Governor, or whether it should be extended to  
68 monitor, analyze, and make findings and recommendations to keep pace with future changes in  
69 Election Integrity methods and technology and uses of such methods and technology; and

70 (8) Other topics related to election integrity of interest to the Task Force.

71 (f) The Office of Technology and the Fusion Center shall provide technical support to the  
72 Task Force with full transparency granted to the member representing the cybersecurity industry.

73 (g) All initial appointments to the task force shall be made not later than 60 days after the  
74 effective date of this section. Any vacancy shall be filled by the appointing authority, as applicable,  
75 within 30 days of such vacancy arising.

76 (h) The Task Force shall hold its first meeting not later than 90 days after the effective date  
77 of this section and shall meet quarterly thereafter with options to either attend in-person or online.

78 (i) The Task Force shall submit an interim electronic progress report six months after its  
79 first meeting, and shall submit an annual electronic report by July 1, 2027 to the House of  
80 Delegates, Senate, and the Governor and present the report to the Joint Committee on  
81 Government and Finance covering the Task Force's findings and recommendations related to the  
82 responsibilities under subsection (e) of this ~~code~~ section. The Task Force shall submit reports in  
83 like manner for a second year at six months and by July 1, 2028, unless the Task Force concludes  
84 that it has satisfactorily fulfilled its charge upon the filing of its first annual report.

85 (j) The Task Force shall terminate on, July 1, 2028, unless the Task Force concludes that it  
86 has satisfactorily fulfilled its charge as of July 1, 2027, or the Governor directs by decree that the  
87 Task Force's charge must be extended in order to satisfactorily fulfill its charge.

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NOTE: The purpose of this bill is to create the West Virginia Task Force on Election Integrity.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.