By: Birdwell   S.B. No. 1893

A BILL TO BE ENTITLED

1   AN ACT

2   relating to prohibiting the use of certain social media

3   applications and services on devices owned or leased by

4   governmental entities.

5   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6   SECTION 1. Subtitle A, Title 6, Government Code, is amended

7   by adding Chapter 620 to read as follows:

8   CHAPTER 620. USE OF CERTAIN SOCIAL MEDIA APPLICATIONS AND SERVICES

9   ON GOVERNMENTAL ENTITY DEVICES PROHIBITED

10   Sec. 620.001. DEFINITIONS. In this chapter:

11   (1) "Covered application" means:

12   (A) the social media service TikTok or any

13   successor application or service developed or provided by ByteDance

14   Limited or an entity owned by ByteDance Limited; or

15   (B) a social media application or service

16   specified by executive order of the governor under Section 620.004.

17   (2) "Governmental entity" means:

18   (A) a department, commission, board, office, or

19   other agency that is in the executive or legislative branch of state

20   government and that was created by the constitution or a statute,

21   including an institution of higher education as defined by Section

22   61.003, Education Code;

23   (B) the supreme court, the court of criminal

24   appeals, a court of appeals, or the Texas Judicial Council or

1 another agency in the judicial branch of state government; or

2 (C) a political subdivision of this state,

3 including a municipality, county, or special purpose district.

4 Sec. 620.002. PROHIBITION. Subject to Section 620.003, a

5 governmental entity shall adopt a policy prohibiting the

6 installation or use of a covered application on any device owned or

7 leased by the governmental entity and requiring the removal of

8 covered applications from those devices.

9 Sec. 620.003. EXCEPTIONS; MITIGATING MEASURES. (a) A

10 policy adopted under Section 620.002 may provide for the

11 installation and use of a covered application to the extent

12 necessary for:

13 (1) providing law enforcement; or

14 (2) developing or implementing information security

15 measures.

16 (b) A policy allowing the installation and use of a covered

17 application under Subsection (a) must require:

18 (1) the use of measures to mitigate risks to the

19 security of governmental entity information during the use of the

20 covered application; and

21 (2) the documentation of those measures.

22 Sec. 620.004. APPLICATIONS IDENTIFIED BY GOVERNOR'S ORDER.

23 The governor by executive order may identify social media

24 applications or services that pose a similar risk to the security of

25 governmental entity information as the service described by Section

26 620.001(1)(A).

27 SECTION 2. Not later than the 60th day after the effective

1 date of this Act, each governmental entity shall adopt the policy

2 required by Chapter 620, Government Code, as added by this Act.

3   SECTION 3. This Act takes effect immediately if it receives

4 a vote of two-thirds of all the members elected to each house, as

5 provided by Section 39, Article III, Texas Constitution. If this

6 Act does not receive the vote necessary for immediate effect, this

7 Act takes effect September 1, 2023.