

By: Birdwell

S.B. No. 1893

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the use of certain social media applications and services on devices owned or leased by governmental entities.

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

SECTION 1. Subtitle A, Title 6, Government Code, is amended by adding Chapter 620 to read as follows:

CHAPTER 620. USE OF CERTAIN SOCIAL MEDIA APPLICATIONS AND SERVICES  
ON GOVERNMENTAL ENTITY DEVICES PROHIBITED

Sec. 620.001. DEFINITIONS. In this chapter:

(1) "Covered application" means:

(A) the social media service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited; or

(B) a social media application or service specified by executive order of the governor under Section 620.004.

(2) "Governmental entity" means:

(A) a department, commission, board, office, or other agency that is in the executive or legislative branch of state government and that was created by the constitution or a statute, including an institution of higher education as defined by Section 61.003, Education Code;

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