WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 215

By Senators Woodrum, Swope, Trump, Woelfel, Taylor, Jeffries, Hunt, Hamilton, and Maroney

[Introduced January 13, 2023; referred to
the Committee on Government Organization]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5A-6D-1, §5A-6D-2, and §5A-6D-3; and to amend said code by adding thereto a new section, designated §8-39-2, all relating to the creation of the No TikTok on Government Devices Act; providing for a definition; providing for enactment of the article; and prohibiting TikTok on municipality and county owned computers and devices.

Be it enacted by the Legislature of West Virginia:

CHAPTER 5A. DEPARTMENT OF ADMINISTRATION.

Article 6D. No TikTok on Government Devices Act.

§5A-6D-1. Short title.

This article may be cited as the No TikTok on Government Devices Act.

§5A-6D-2. Definition.

The term "covered application" means the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited.

§5A-6D-3. Enactment.

(a) The West Virginia Office of Technology shall develop standards and guidelines for state government requiring the removal of any covered application from information technology. There shall be exceptions for law enforcement activities, national security interests and activities, and security researchers; and for any authorized use of a covered application under an exception, requirements for agencies to develop and document risk mitigation actions for such use.

CHAPTER 8. MUNICIPAL CORPORATIONS.

Article 39. municipal websites.

§8-39-2. TikTok prohibited on municipal and county owned computers and devices.

The social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited shall be prohibited on municipal and county owned computers and devises. Each municipality and county shall require the removal of TikTok, as defined above, on such devices. There shall be exceptions for law enforcement activities, national security interests and activities, and security researchers; and for any authorized use of TikTok under an exception, requirements for agencies to develop and document risk mitigation actions for such use.

NOTE: The purpose of this bill is to create the "No TikTok on Government Devices Act." The bill provides for a definition. The bill provides for enactment of the article. Finally, the bill prohibits TikTok on county and municipality owned computers and devices.

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