

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 694

By Senator Rucker

[Introduced March 4, 2025; referred
to the Committee on Government Organization; and
then to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §5-32-1 and §5-32-2, relating to protecting state and local government
3 systems and data, and their ability to protect citizens' data and access to government
4 systems, from cyber attacks and surveillance by adverse foreign interests by prohibiting
5 the use or procurement of any software, application, or AI tool that is owned by any entity
6 located in a designated foreign adversary nation.

Be it enacted by the Legislature of West Virginia:

ARTICLE 32. DATA PROTECTION ACT.

§5-32-1. Definitions.

1 (a) "State agency" means an association, authority, board, department, commission,
2 independent agency, institution, system, office, society, or other body in state government created
3 or authorized to be created by the Constitution of West Virginia or any law.

4 (b) "Foreign country of concern" means foreign adversaries, as designated by 15 C.F.R. §
5 791.4.

§5-32-2. _____ Ban.

1 (a) All officials, employees, or contractors of any state agency, other than a law
2 enforcement officer, as defined in §15-2-25B(j), for law enforcement purposes, shall prohibit the
3 following on any state-owned or state-leased device capable of accessing the internet:

4 (1) The download and/or use of any social media application, channel, or platform that is
5 owned by an entity in a foreign county of concern; and

6 (2) Accessing the website of any social media application, channel, or platform that is
7 owned by an entity in a foreign county of concern.

8 (b) All officials, employees, or contractors of a state agency, other than a law enforcement
9 officer for law enforcement purposes, are prohibited from using applications, software, and AI
10 algorithms that are owned by an entity located in a foreign county of concern.

11 (c) The ban imposed by this section does not apply to officials, employees, or contractors

- 12 of a state agency who have obtained a written waiver from the Secretary of State for purposes of
- 13 and limited to the performance of their duties.

NOTE: The purpose of this bill is to protect state and local government systems and data, and their ability to protect citizens' data and access to government systems, from cyber attacks and surveillance by adverse foreign interests by prohibiting the use or procurement of any software, application, or AI tool that is owned by any entity located in a designated foreign adversary nation.

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