

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 proclamation of the governor under Section 620.005.

(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, a district court, or the Texas Judicial

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

3 (C) a political subdivision of this state,  
4 including a municipality, county, or special purpose district.

5 Sec. 620.002. DEFINING SECURITY RISK TO THIS STATE. For  
6 purposes of this chapter, a social media application or service  
7 poses a risk to this state if:

8 (1) the provider of the application or service may be  
9 required by a foreign government, or an entity associated with a  
10 foreign government, to provide confidential or private personal  
11 information collected by the provider through the application or  
12 service to the foreign government or associated entity without  
13 substantial due process rights or similar legal protections; or

14 (2) the application or service poses a similar risk to  
15 the security of this state's sensitive information, critical  
16 infrastructure, or both, as an application or service described by  
17 Section 620.001(1)(A).

18 Sec. 620.003. PROHIBITION; MODEL POLICY. (a) Subject to  
19 Section 620.004, a governmental entity shall adopt a policy  
20 prohibiting the installation or use of a covered application on any  
21 device owned or leased by the governmental entity and requiring the  
22 removal of covered applications from those devices.

23 (b) The Department of Information Resources and the  
24 Department of Public Safety shall jointly develop a model policy  
25 for governmental entities to use in developing the policy required  
26 by Subsection (a).

27 Sec. 620.004. EXCEPTIONS; MITIGATING MEASURES. (a) A

1 policy adopted under Section 620.003 may provide for the  
2 installation and use of a covered application to the extent  
3 necessary for:

- 4 (1) providing law enforcement; or  
5 (2) developing or implementing information security  
6 measures.

7 (b) A policy allowing the installation and use of a covered  
8 application under Subsection (a) must require:

- 9 (1) the use of measures to mitigate risks posed to this  
10 state during the use of the covered application; and  
11 (2) the documentation of those measures.

12 Sec. 620.005. APPLICATIONS IDENTIFIED BY GOVERNOR'S  
13 PROCLAMATION. The governor by proclamation may identify social  
14 media applications or services that pose a risk to this state as  
15 described by Section 620.002.

16 Sec. 620.006. APPLICATION IDENTIFIED BY DEPARTMENT OF  
17 INFORMATION RESOURCES AND DEPARTMENT OF PUBLIC SAFETY. (a) The  
18 Department of Information Resources and the Department of Public  
19 Safety shall jointly identify social media applications or services  
20 that pose a risk to this state as described by Section 620.002.

21 (b) The Department of Information Resources shall:

- 22 (1) annually submit a list of applications and  
23 services identified under Subsection (a) to the governor;  
24 (2) publish the list on the department's publicly  
25 accessible Internet website; and  
26 (3) periodically update the list on that website.

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

1 Department of Information Resources and the Department of Public  
2 Safety make available the model policy required by Section  
3 620.003(b), Government Code, as added by this Act, each  
4 governmental entity shall adopt the policy required by Section  
5 620.003(a), Government Code, as added by this Act.

6 SECTION 3. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2023.

\_\_\_\_\_  
President of the Senate

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Speaker of the House

I hereby certify that S.B. No. 1893 passed the Senate on April 18, 2023, by the following vote: Yeas 31, Nays 0; May 16, 2023, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 17, 2023, House granted request of the Senate; May 27, 2023, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

I hereby certify that S.B. No. 1893 passed the House, with amendments, on May 9, 2023, by the following vote: Yeas 144, Nays 0, two present not voting; May 17, 2023, House granted request of the Senate for appointment of Conference Committee; May 28, 2023, House adopted Conference Committee Report by the following vote: Yeas 139, Nays 2, two present not voting.

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Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

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Governor