

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]

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

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

§5A-6D-2. Definition.

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

§5A-6D-3. Enactment.

1 (a) The West Virginia Office of Technology shall develop standards and guidelines for state
 2 government requiring the removal of any covered application from information technology. There
 3 shall be exceptions for law enforcement activities, national security interests and activities, and
 4 security researchers; and for any authorized use of a covered application under an exception,
 5 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.

1 The social networking service TikTok or any successor application or service developed or
 2 provided by ByteDance Limited or an entity owned by ByteDance Limited shall be prohibited on

3 municipal and county owned computers and devises. Each municipality and county shall require
4 the removal of TikTok, as defined above, on such devices. There shall be exceptions for law
5 enforcement activities, national security interests and activities, and security researchers; and for
6 any authorized use of TikTok under an exception, requirements for agencies to develop and
7 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.