

GOVERNMENT CODE

TITLE 6. PUBLIC OFFICERS AND EMPLOYEES

SUBTITLE A. PROVISIONS GENERALLY APPLICABLE TO PUBLIC OFFICERS AND
EMPLOYEES

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

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

Added by Acts 2023, 88th Leg., R.S., Ch. 903 (S.B. [1893](#)), Sec. 1, eff. June 14, 2023.

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

(1) the provider of the application or service may be required by a foreign government, or an entity associated with a foreign government, to provide confidential or private personal information collected by the provider through the application or service to the foreign government or associated entity without

substantial due process rights or similar legal protections; or

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

Added by Acts 2023, 88th Leg., R.S., Ch. 903 (S.B. 1893), Sec. 1, eff. June 14, 2023.

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

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

Added by Acts 2023, 88th Leg., R.S., Ch. 903 (S.B. 1893), Sec. 1, eff. June 14, 2023.

Sec. 620.004. EXCEPTIONS; MITIGATING MEASURES. (a) A policy adopted under Section 620.003 may provide for the installation and use of a covered application to the extent necessary for:

(1) providing law enforcement; or

(2) developing or implementing information security measures.

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

(1) the use of measures to mitigate risks posed to this state during the use of the covered application; and

(2) the documentation of those measures.

Added by Acts 2023, 88th Leg., R.S., Ch. 903 (S.B. 1893), Sec. 1, eff. June 14, 2023.

Sec. 620.005. APPLICATIONS IDENTIFIED BY GOVERNOR'S PROCLAMATION. The governor by proclamation may identify social

media applications or services that pose a risk to this state as described by Section [620.002](#).

Added by Acts 2023, 88th Leg., R.S., Ch. 903 (S.B. [1893](#)), Sec. 1, eff. June 14, 2023.

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

(b) The Department of Information Resources shall:

(1) annually submit a list of applications and services identified under Subsection (a) to the governor;

(2) publish the list on the department's publicly accessible Internet website; and

(3) periodically update the list on that website.

Added by Acts 2023, 88th Leg., R.S., Ch. 903 (S.B. [1893](#)), Sec. 1, eff. June 14, 2023.