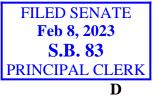
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023



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SENATE BILL DRS35035-LR-16

	Short Title:	No TikTok on Government Devices. (Public				
	Sponsors: Senators Moffitt, Perry, and Hanig (Primary Sponsors).					
	Referred to:	Referred to:				
1		A BILL TO BE ENTITLED				
2	AN ACT PROHIBITING THE USE OF TIKTOK ON GOVERNMENT DEVICES AND					
3	DURING PARTICIPATION IN STATE-FUNDED PROGRAMS.					
4	The General Assembly of North Carolina enacts:					
5	SECTION 1. Article 10 of Chapter 143 of the General Statutes is amended by adding					
6	a new section to read:					
7	" <u>§ 143-162.10. Prohibition on the use of TikTok and other applications.</u>					
8	<u>(a)</u> <u>N</u>	o employee of the State or of a local political subdivision of the State shall download				
9	or use a cov	ered application or access the website of a covered application on or using any				
10	government-issued device or information technology.					
11	<u>(b)</u> <u>N</u>	o person contracting with the State, or with a local political subdivision of the State				
12	may access, download, or use a covered application on equipment owned or leased by the State					
13	or by a local political subdivision of the State.					
14	<u>(c)</u> <u>N</u>	o person may access, download, or use a covered application on any				
15	government-issued device or during participation in any State-funded program.					
16	(d) State agencies and local political subdivisions of the State shall restrict access to the					
17	websites of covered applications on government-issued devices and information technology.					
18	<u>(e)</u> <u>T</u>	ne following definitions apply in this section:				
19	<u>(1</u>) Covered application. – Any of the following applications or services:				
20		a. TikTok or any successor application or service developed or provided				
21		by ByteDance Limited or an entity owned by ByteDance Limited.				
22		b. WeChat or any successor application or service developed or provide				
23		by Tencent Holdings Limited or an entity owned by Tencent Holding				
24		Limited.				
25	<u>(2</u>) Device. – Any cellular phone, desktop computer, laptop, or other electronic				
26		device capable of connecting to the internet issued by the State or by a loca				
27		political subdivision of the State.				
28	(3) Information technology. – As defined by G.S. 143B-1320(a)(11). The term				
29	<u> </u>	also includes (i) any equipment or interconnected system or subsystem o				
30		equipment used in the automatic acquisition, storage, analysis, evaluation				
31		manipulation, management, movement, control, display, switching				
32		interchange, transmission, or reception of data or information by				
33		State-funded program, whether the equipment is used by the State-funded				
34		program directly or is used by a contractor under a contract with the				
35		State-funded program that requires the use of that equipment in the				
36		performance of a service or the furnishing of a product and (ii) computers				
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1		mobile devices, and virtual machines as wel	l as ancillary equipment,		
2		peripheral equipment designed to be controlled by	the central processing unit		
3		of a computer, software, firmware and similar pro-	cedures, services (including		
4		support services), and related resources.			
5	<u>(4)</u>	State-funded program Any program or activity	funded in whole or in part		
6		by State, federal, or local funds."			
7	SECTION 2. Any employee of the State or of a local political subdivision of the				
8	State, or any person contracting with the State or with a local political subdivision of the State,				
9	who has already downloaded a covered application to a government-issued device shall remove,				
10	delete, and uninstall the covered application no later than 30 days after the enactment of this act.				
11	SECTION 3. Nothing in this act shall be construed to prevent prosecutorial and law				
12	enforcement agencies from accessing the applications covered by this act for prosecutorial, law				
13	enforcement, and investigative purposes. By March 1, 2023, the Departments of Information				
14	Technology and Public Safety shall develop jointly the guidelines necessary for prosecutorial				
15	and law enforcement agency access to covered applications along with the risk mitigation actions				
16	necessary for such use.				
17	SECT	TION 4. This act is effective when it becomes law.			