

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 274

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO COMMUNICATIONS SECURITY; PROVIDING LEGISLATIVE INTENT; AMEND-  
2 ING CHAPTER 67, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION  
3 18-6726, IDAHO CODE, TO DEFINE A TERM, TO PROHIBIT STATE EMPLOYEES  
4 FROM USING OR DOWNLOADING TIKTOK ON A STATE-ISSUED DEVICE, TO PROVIDE  
5 THAT THE STATE SHALL IMPLEMENT CONTROLS TO PREVENT THE USE OF TIKTOK ON  
6 STATE-ISSUED DEVICES, AND TO PROVIDE A PENALTY; AND DECLARING AN EMER-  
7 GENCY.  
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. LEGISLATIVE INTENT. Preserving the safety, security, pri-  
11 vacy, and way of life of the State of Idaho and its citizens is of paramount  
12 importance, and the state must take steps to prevent the collection of pri-  
13 vate data of Idaho citizens by platforms such as TikTok that may share sensi-  
14 tive information with foreign governments.

15 SECTION 2. That Chapter 67, Title 18, Idaho Code, be, and the same is  
16 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
17 ignated as Section 18-6726, Idaho Code, and to read as follows:

18 18-6726. TIKTOK USE BY STATE EMPLOYEES ON A STATE-ISSUED DEVICE PRO-  
19 HIBITED. (1) As used in this section, "TikTok" means the social networking  
20 service owned by the Chinese company ByteDance Limited or any successor ap-  
21 plication.

22 (2) No person or entity that contracts with the state government and no  
23 member or employee of:

24 (a) The executive branch, the state legislature, or the judiciary;

25 (b) Any state-funded agency, department, organization, commission,  
26 office, division, board, bureau, council, college, university, admin-  
27 istration, or corrections industry or any other division or subdivision  
28 that is funded in whole or in part through funds appropriated in the  
29 state budget; or

30 (c) The Idaho air national guard, Idaho army national guard, or Idaho  
31 state police, not including use for gathering military intelligence or  
32 criminal investigations by law enforcement,  
33 shall download or use the TikTok application or visit the TikTok website on  
34 any network owned by, operated by, or otherwise under the control of state  
35 government or on any state government-issued device, including but not lim-  
36 ited to a cellular phone, a computer, or any other device capable of internet  
37 connectivity.

38 (3) The executive branch, the legislative branch, and the judicial  
39 branch shall implement controls to prevent the use of TikTok on state govern-  
40 ment-issued equipment or while connected to any network owned, operated, or  
41 otherwise under the control of state government.

1           (4) Any person who knowingly violates the provisions of subsection (2)  
2 of this section shall be guilty of a misdemeanor.

3           SECTION 3. An emergency existing therefor, which emergency is hereby  
4 declared to exist, this act shall be in full force and effect on and after its  
5 passage and approval.