

Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas adopting covered applications and prohibited technology policy.



EXECUTIVE SUMMARY

BACKGROUND:

December 7, 2022, Governor Greg Abbott required all state agencies to ban the video-sharing application TikTok from all state-owned and state-issued devices and networks over the Chinese Communist Party's ability to use the application for surveilling Texans. Governor Abbott also directed the Texas Department of Public Safety (DPS) and the Texas Department of Information Resources (DIR) to develop a plan providing state agencies guidance on managing personal devices used to conduct state business.

Last session, the Texas legislature passed [S.B. 1893](#), which prohibits the use of TikTok and certain other social media applications and services on governmental devices. The bill specifically requires cities and other political subdivisions to adopt a policy: (1) prohibiting the installation of TikTok or another covered application on any device owned or leased by the governmental entity; and (2) requiring the removal of covered applications from those devices.

Although the bill went into effect immediately upon being signed by the governor in 2023, the requirement that a city adopt a policy described above did not apply until the Department of Information Resources (DIR) and the Department of Public Safety (DPS) jointly developed a model policy for governmental entities to use in developing their own local policy. [The DIR/DPS model policy](#) was recently released on September 16, 2024.

[DIR guidance provides](#) that governmental entities, including cities, have until November 20, 2024 to adopt their local policies required by S.B. 1893. It should be noted that city policies adopted to comply with S.B. 1893 need not mirror the DIR/DPS model policy, but it is expected that the DIR/DPS model policy is used in developing the city policy. The law provides, and the model policy reflects, that city-adopted policies may allow 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.

As required by the Governor's directive and Senate Bill 1893, this policy establishes a template that entities subject to the directive or bill may mimic to prohibit the installation or use of covered applications or prohibited technologies on applicable devices.

Governmental entities, including local governments, must adopt a covered applications policy by November 20, 2024

FINANCIAL IMPLICATIONS:

None.

RECOMMENDATION:

Staff recommends City Council approve the policy to be in compliance with SB 1893.

ATTACHMENTS: Resolution & Policy