

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 4

5 By: Senator G. Stubblefield
6 By: Representative M. Berry
7

For An Act To Be Entitled

9 AN ACT TO PROHIBIT A PUBLIC ENTITY FROM USING THE
10 TIKTOK APPLICATION OR VISITING THE TIKTOK WEBSITE ON
11 A STATE-OWNED DEVICE OR STATE-LEASED EQUIPMENT; AND
12 FOR OTHER PURPOSES.
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Subtitle

15 TO PROHIBIT A PUBLIC ENTITY FROM USING
16 THE TIKTOK APPLICATION OR VISITING THE
17 TIKTOK WEBSITE ON A STATE-OWNED DEVICE OR
18 STATE-LEASED EQUIPMENT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 21, Chapter 1, Subchapter 1, is amended
25 to add an additional section to read as follows:

26 21-1-107. State-owned device or state-leased equipment – Definitions –
27 Legislative findings – Prohibition.

28 (a) As used in this section:

29 (1) "State employee" means an individual employed by a state
30 entity;

31 (2) "State entity" means an instrumentality of state government,
32 including without limitation a board, commission, committee, advisory board,
33 office, department, institution, bureau, council, administrative program,
34 agency, or division;

35 (3) "State-owned device or state-leased equipment" means a
36 device that has been issued or leased by a state entity to a state employee



1 or contractor of the state, including without limitation a mobile device,
2 cellphone, laptop, or any other device capable of internet connectivity; and

3 (4) "TikTok" means a social media platform owned by the Chinese
4 company ByteDance that has the ability to use data collection methods to
5 gather user information, including without limitation internet browsing data,
6 keystrokes, and location information.

7 (b) The General Assembly finds that:

8 (1) The maintenance of cybersecurity in state government is
9 necessary to continue to serve Arkansas citizens;

10 (2) TikTok has more than one billion (1,000,000,000) global
11 users, with over one hundred thirty-five million (135,000,000) of those users
12 located in the United States;

13 (3) Christopher Wray, Director of the Federal Bureau of
14 Investigation, has warned that the data collection practices of ByteDance may
15 be used to influence Americans or control or compromise software on millions
16 of devices;

17 (4) The Communist Party of China may obtain access to this
18 personal information obtained through the data collection policies of
19 ByteDance because ByteDance is headquartered in China and Chinese national
20 security laws compel companies operating in China to share their user
21 information data with the Communist Party of China upon request;

22 (5) Previously, ByteDance refused to stop the flow of user
23 information data to the Communist Party of China despite a request to do so
24 from the Committee on Foreign Investment in the United States;

25 (6) The Communist Party of China may use United States user
26 information data for sensitive intelligence gathering, intellectual property
27 theft, and other illicit purposes;

28 (7) Several government entities, including the United States
29 Armed Forces, the Transportation Security Administration, and the State of
30 South Dakota, have banned downloading or using the TikTok application or
31 visiting the TikTok website on government-issued devices;

32 (8) Officials of the Federal Communications Commission and a
33 bipartisan coalition of United States Senators support a complete ban on
34 TikTok usage due to TikTok's unique national security risks; and

35 (9) Permitting the downloading or usage of the TikTok
36 application or visiting the TikTok website on government-issued cellphones,

1 laptops, or any other device capable of internet connectivity is contrary to
2 the interest of this state.

3 (c) A state entity or state employee shall not download or use the
4 TikTok application or visit the TikTok website on a state-owned device or
5 state-leased equipment.

6 (d) A person or entity that contracts with the state shall not
7 download or use the TikTok application or visit the TikTok website on a
8 state-owned device or state-leased equipment.

9 (e) Upon conviction, a person that downloads or uses the TikTok
10 application or visits the TikTok website is guilty of a violation.

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