

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

SENATE BILL 4

By: Senator G. Stubblefield  
By: Representative M. Berry

## For An Act To Be Entitled

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

## Subtitle

TO PROHIBIT A PUBLIC ENTITY FROM USING  
THE TIKTOK APPLICATION OR VISITING THE  
TIKTOK WEBSITE ON A STATE-OWNED DEVICE OR  
STATE-LEASED EQUIPMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 21, Chapter 1, Subchapter 1, is amended to add an additional section to read as follows:

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

(a) As used in this section:

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

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

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



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

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

(b) The General Assembly finds that:

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

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

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

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

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

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

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

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

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

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

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

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

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