

SESSION OF 2023

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2314

As Amended by House Committee of the Whole

Brief*

HB 2314, as amended, would prohibit state agency employees from installing and accessing social media platforms of concern on state-owned devices and networks and would require the Chief Information Technology Officers of the Executive, Legislative, and Judicial branches of government to cooperate to ensure compliance with the provisions of the bill.

The bill would define “social medial platform of concern” to mean an application or website that is owned or controlled by TikTok, ByteDance ltd, or any subsidiaries, successor companies, or companies directly or indirectly controlled by TikTok or ByteDance, ltd.

The prohibition would not apply to state agency employees accessing social media platforms of concern for law enforcement activities or cybersecurity investigations.

Background

The bill was introduced by the House Committee on Legislative Modernization at the request of Representative Howerton.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

House Committee on Legislative Modernization

In the House Committee hearing on February 13, 2023, Representative Blake Carpenter testified as a **proponent**, stating the bill would codify language similar to Executive Order No. 22-10 (Prohibiting Use of Tik Tok on State-owned Devices and Networks) and would not infringe on an individual's freedom of speech because the bill is limited to a prohibition to access on government equipment. No other testimony was provided.

House Committee of the Whole

The House Committee of the Whole amended the bill to include applications or websites owned or controlled by ByteDance, Ltd., its subsidiaries or successors, and companies directly or indirectly controlled by ByteDance, Ltd., to the definition of "social media platform of concern."

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of Information Technology Services indicates enactment of the bill would not have an effect on agency operations, and Legislative Administrative Services indicates enactment of the bill would have a negligible effect on the operations of the Legislature. The Office of Judicial Administration states enactment of the bill would have a fiscal effect on Judicial Branch operations by requiring the Judicial Branch Chief Information Technology Officer to put measures into place to ensure TikTok is not installed or accessed on devices or networks owned by the Judicial Branch. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2024 Governor's Budget Report*.

TikTok; ByteDance; social platforms of concern; access; Executive Branch; Legislative Branch; Judicial Branch; chief information technology officer