

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 643 - L.D. 1007

**An Act to Ban the Video Hosting Service TikTok on All State-owned Devices**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** employees of the State are issued computers, cellular telephones and other necessary electronic devices to carry out their duties in their employment by the State; and

**Whereas,** certain software applications and programs such as TikTok represent a potential security risk as they may contain hidden and unknown capabilities to install spyware or otherwise compromise the integrity and security of official state communications and business that may be contained on state computers and devices; and

**Whereas,** employees of the State may have currently installed or used TikTok or other concerning software applications and programs in the absence of a policy or official restrictions against doing so; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 5 MRSA §20-A, sub-§4** is enacted to read:

**4. TikTok ban.** A computer or other electronic device owned or controlled by any branch of State Government may not be used to access, contain or download the video hosting service known as TikTok, except as necessary for life, health, safety or investigative purposes in accordance with a policy adopted by a state agency. For purposes of this section, "electronic device" has the same meaning as in Title 16, section 647, subsection 3.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.