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SENATE BILL 208

**56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

INTRODUCED BY

Gregg Schmedes

AN ACT

RELATING TO INFORMATION TECHNOLOGY; PROHIBITING THE USE OR  
ACCESS OF THE TIKTOK APPLICATION OR WEBSITE BY STATE EMPLOYEES  
OR CONTRACTORS ON STATE GOVERNMENT DEVICES OR NETWORKS;  
REQUIRING THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES TO  
IMPLEMENT CONTROLS TO PREVENT TIKTOK ACCESS; DECLARING AN  
EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] STATE GOVERNMENT TECHNOLOGY--  
TIKTOK PROHIBITED.--

A. As used in this section, "tiktok" means the  
social networking service owned by the Chinese company  
ByteDance limited or any successor application.

B. An employee of the state executive, judicial or  
legislative branch, an executive, judicial or legislative

underscoring material = new  
~~[bracketed material] = delete~~

1 branch agency or a person or entity who contracts with the  
2 state executive, legislative or judicial branch or an  
3 executive, legislative or judicial branch agency shall not  
4 download or use the tiktok application or access the tiktok  
5 website on any of the following:

6 (1) a network owned, operated or otherwise  
7 under the control of state government; or

8 (2) a state government-issued device,  
9 including a:

10 (a) cell phone;

11 (b) computer; or

12 (c) any other device that is capable of  
13 internet connectivity.

14 C. The department of information technology shall  
15 implement controls for executive branch agencies to prevent the  
16 use of tiktok on state government-issued equipment or while  
17 connected to any network owned, operated or otherwise under the  
18 control of the executive branch.

19 D. The legislative branch shall implement controls  
20 to prevent the use of tiktok on state government-issued  
21 equipment or while connected to any network owned, operated or  
22 otherwise under the control of the legislative branch.

23 E. The judicial branch shall implement controls to  
24 prevent the use of tiktok on state government-issued equipment  
25 or while connected to any network owned, operated or otherwise

underscoring material = new  
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1 under the control of the judicial branch.

2 SECTION 2. EMERGENCY.--It is necessary for the public  
3 peace, health and safety that this act take effect immediately.

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