

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTON, TEXAS, ADOPTING A POLICY RELATED TO CERTAIN MEDIA APPLICATIONS AS OUTLINED IN TEXAS SENATE BILL NO. 1893; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Weston, Texas (the “Town”), is a general law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town Council desires to adopt a policy prohibiting the use of certain media applications as outlined in Texas Senate Bill No. 1893 and allowing its use on town owned devices in limited circumstances.

WHEREAS, The Town Council has investigated and determined that it is in the best interest of the Town and its citizens to adopt the policy, attached hereto, which will be implemented, to enhance the orderly management of the Town.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WESTON, TEXAS:

SECTION 1. The recitals contained in the preamble of this Resolution are determined to be true and correct and are hereby adopted as a part of this Resolution.

SECTION 2. The policy attached hereto is adopted by the Town Council to comply with state law and to enhance the orderly management of the Town.

SECTION 3. It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this Resolution are severable and, if any phrase, clause, sentence, paragraph, or section of this Resolution shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Resolution, because the same would have been enacted by the Town Council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4. All resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

SECTION 5. This Resolution is effective immediately upon its passage.

RESOLVED THIS ____ day of October, 2024.

Jerry Randall, Mayor

ATTEST:



Town of Weston Policy on Certain Media Applications

Purpose: Texas Senate Bill No 1893 by law restricts the installation or use of any application or service created by the company Byte Dance Limited on any Town owned device to include cell phones, laptops, desktops, iPads, or any other Town owned device.

Scope: This policy applies to all employees of the Town of Weston, full and part-time employees, contractors, paid or unpaid interns, and other users of government networks. All Town employees are responsible for complying with this policy.

Policy:

1. General Guidelines:

- The social media service “TikTok”, and any other application or service created by Byte Dance Limited, such as, but not limited to: CapCut- Video Editor, Hypic – Photo Editor & AI Art, Lark-Team Collaboration, Inked, TikTok Shop Seller Center, and Mobile Legends: Bang Bang, is prohibited by law from use or installation on any Town owned device and should be removed immediately if currently installed or in use.
- Covers social media application or service specified by proclamation of the governor under Government Code Section 620.005.
- Except where approved exceptions apply, the use or installation of covered applications is prohibited on all town owned or leased devices including cell phones, tablets, desktop and laptop computers, and other internet capable devices.

2. Exceptions:

- The two exceptions to this law are:
 - (i) For providing law enforcement services; or
 - (ii) For developing or implementing information security measures.
- Permitted use must utilize measures to mitigate risks to the security of town information during the use of the application; and documentation of those measures must be filed with the Town Secretary and approved by Town Council before use begins.

Effective Date: This policy is effective as of October 22, 2024

Approval: This policy has been approved by the Town Council of Weston on October 22, 2024

A BILL TO BE ENTITLED
AN ACT

relating to prohibiting the use of certain social media applications and services on devices owned or leased by governmental entities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 6, Government Code, is amended by adding Chapter 620 to read as follows:

CHAPTER 620. USE OF CERTAIN SOCIAL MEDIA APPLICATIONS AND SERVICES
ON GOVERNMENTAL ENTITY DEVICES PROHIBITED

Sec. 620.001. DEFINITIONS. In this chapter:

(1) "Covered application" means:

(A) the social media service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited; or

(B) a social media application or service specified by executive order of the governor under Section 620.005.

(2) "Governmental entity" means:

(A) a department, commission, board, office, or other agency that is in the executive or legislative branch of state government and that was created by the constitution or a statute, including an institution of higher education as defined by Section 61.003, Education Code;

(B) the supreme court, the court of criminal appeals, a court of appeals, or the Texas Judicial Council or another agency in the judicial branch of state government; or

(C) a political subdivision of this state, including a municipality, county, or special purpose district.

Sec. 620.002. DEFINING SECURITY RISK. For purposes of this chapter, a social media application poses a risk to the security of governmental entity information if the application's service provider may be required by a foreign government, or an entity associated with a foreign government, to provide confidential or private personal information collected by the service provider through the application to the foreign government or associated entity without substantial due process rights or similar legal protections.

Sec. 620.003. PROHIBITION. Subject to Section 620.004, a governmental entity shall adopt a policy prohibiting the installation or use of a covered application on any device owned or leased by the governmental entity and requiring the removal of covered applications from those devices.

Sec. 620.004. EXCEPTIONS; MITIGATING MEASURES. (a) A policy adopted under Section 620.003 may provide for the installation and use of a covered application to the extent necessary for:

(1) providing law enforcement; or

(2) developing or implementing information security measures.

(b) A policy allowing the installation and use of a covered application under Subsection (a) must require:

(1) the use of measures to mitigate risks to the security of governmental entity information during the use of the covered application; and

(2) the documentation of those measures.

Sec. 620.005. APPLICATIONS IDENTIFIED BY GOVERNOR'S ORDER. The governor by executive order may identify social media applications or services that pose a similar risk to the security of governmental entity information as the service described by Section 620.001(1)(A).

SECTION 2. Not later than the 60th day after the effective date of this Act, each governmental entity shall adopt the policy required by Chapter 620, Government Code, as added by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.