
A BILL FOR AN ACT

RELATING TO SOCIAL MEDIA.

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

1 SECTION 1. The legislature finds that the popular video-
2 sharing platform TikTok boasts over one billion global users,
3 including nearly forty per cent of the United States' mobile
4 internet users. TikTok is currently one of the fastest growing
5 social media applications in the world, and in 2021, surpassed
6 Google as the world's most popular internet site.

7 The legislature further finds that TikTok poses serious
8 national security concerns due to its ties with the Chinese
9 Communist Party (CCP). Its parent company, ByteDance, is
10 headquartered in Beijing, China, and under Chinese law, Chinese
11 companies operating in China are compelled to share their data
12 with the government upon request. The Director of the United
13 States Federal Bureau of Investigation has warned that the CCP
14 could harness the application to influence American users or
15 control or compromise software on millions of electronic
16 devices.



1 The legislature finds that ByteDance has refused to cease
2 this data flow to the Chinese government despite requests from
3 the United States Committee on Foreign Investment to do so and
4 the CCP may use the United States' user information for
5 intelligence gathering, intellectual property theft, and other
6 illicit purposes.

7 The legislature finds that TikTok has a powerful algorithm
8 which personalizes the videos shown to users based on their
9 interactions with content, addictive to the point of being
10 dubbed 'digital fentanyl'. Because the vast majority of TikTok
11 users are young adults and adults ages 18 to 34, the legislature
12 therefore believes that the privacy of an emerging generation is
13 under threat.

14 The legislature finds that bipartisan legislation has been
15 introduced in the United States Congress to ban TikTok from
16 operating in the United States. Until then, a long list of
17 entities have already taken measures to defend their
18 cybersecurity, including the United States Congress, United
19 States military branches, United States state departments and
20 agencies, and nearly two dozen states.



H.B. NO. 460

1 "Covered application" means the social networking service
2 TikTok or any application or service developed or provided by
3 ByteDance Limited or any entity owned by ByteDance Limited.

4 **"§ -2 Removal of certain social media applications;**
5 **established.** (a) The director of the office of enterprise
6 technology services, in consultation with the chief information
7 officer, shall develop guidelines, standards, and an
8 implementation date for all state branches of government
9 requiring the removal of any covered application from
10 information technology, and the access of covered the covered
11 applications' websites on any state-funded internet network.

12 (b) The standards and guidelines established under
13 subsection (a) shall include exceptions for:

- 14 (1) Law enforcement activities, national security
15 interests and activities, and security research
16 activity; and
17 (2) For any authorized use of a covered application under
18 an exception, requirements for agencies to develop and
19 document risk mitigation actions for such use.

20 (c) These standards shall be implemented no later than
21 December 31, 2023.

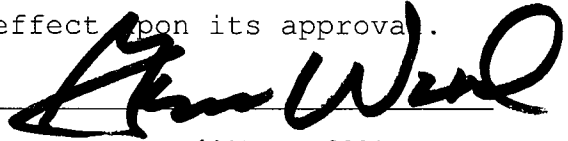


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1 SECTION 3. If any provision of this Act, or the
2 application thereof to any person or circumstance, is held
3 invalid, the invalidity does not affect other provisions or
4 applications of the Act that can be given effect without the
5 invalid provision or application, and to this end the provisions
6 of this Act are severable.

7 SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:



JAN 20 2023



H.B. NO. 460

Report Title:

Social media; TikTok; Government-issued devices; Government networks; Ban

Description:

Prohibits the downloading or use of social media application TikTok on government-issued devices capable of internet connectivity, or on government internet networks.

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HB HMIA 2023-18-04

