

By Senator Burgess

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1 A bill to be entitled
2 An act relating to prohibited applications on
3 government-issued devices; creating s. 112.22, F.S.;
4 defining terms; requiring the Department of Management
5 Services to compile and maintain a specified list and
6 publish such list on its website; requiring
7 governmental entities and public educational
8 institutions to take certain actions relating to
9 prohibited applications; prohibiting employees of
10 governmental entities and public educational
11 institutions from downloading or accessing prohibited
12 applications on government-issued devices; providing
13 exceptions; providing a date by which specified
14 employees must remove, delete, or uninstall a
15 prohibited application; requiring the department to
16 adopt specified rules; providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Section 112.22, Florida Statutes, is created to
21 read:

22 112.22 Use of applications from foreign countries of
23 concern prohibited.—

24 (1) As used in this section, the term:

25 (a) "Department" means the Department of Management
26 Services.

27 (b) "Employee" means a person who performs labor or
28 services for a governmental entity or a public educational
29 institution in exchange for salary, wages, or other

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30 remuneration.

31 (c) "Entity" has the same meaning as in s. 607.01401.

32 (d) "Foreign country of concern" has the same meaning as in
33 s. 288.860(1).

34 (e) "Foreign principal" means:

35 1. The government or any official of the government of a
36 foreign country of concern;

37 2. A political party or member of a political party in a
38 foreign country of concern. For purposes of this subparagraph,
39 the term "political party" means an organization or a
40 combination of individuals whose aim or purpose is, or who are
41 engaged in any activity devoted in whole or in part to, the
42 establishment, administration, control, or acquisition of
43 administration or control of a government of a foreign country
44 of concern or a subdivision thereof, or the furtherance or
45 influencing of the political or public interest, policies, or
46 relations of a government of a foreign country of concern or a
47 subdivision thereof;

48 3. A partnership, association, corporation, organization,
49 or other combination of persons organized under the laws of or
50 having its principal place of business in a foreign country of
51 concern; or

52 4. Any person who is domiciled in a foreign country of
53 concern and is not a citizen of the United States.

54 (f) "Governmental entity" has the same meaning as in s.
55 163.035(1).

56 (g) "Government-issued device" means cellular phones,
57 laptops, or other electronic devices capable of connecting to
58 the Internet which are owned or leased by a governmental entity

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59 or a public educational institution and issued to employees for
60 work-related purposes.

61 (h) "Prohibited application" means:

62 1. Any Internet application that enables users to socially
63 interact with one another and that is created, maintained, or
64 owned by a foreign principal; or

65 2. Any Internet application deemed to present a security
66 risk by the department.

67 (i) "Public educational institution" means:

68 1. A state college or state university as defined in s.
69 288.860(1); or

70 2. A school as defined in s. 1003.01(2).

71 (2) The department shall compile and maintain a list of
72 prohibited applications and publish the list on its website.

73 (3) (a) A governmental entity and a public educational
74 institution are required to do all of the following:

75 1. Block all prohibited applications from public access on
76 any wireless network and virtual private network owned,
77 operated, or maintained by the governmental entity or public
78 educational institution.

79 2. Restrict access to any prohibited application on a
80 government-issued device.

81 3. Retain the ability to remotely wipe and uninstall any
82 prohibited application from a compromised government-issued
83 device.

84 (b) An employee of a governmental entity or a public
85 educational institution may not download or access any
86 prohibited application on any government-issued device.

87 1. This paragraph does not apply to law enforcement

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88 officers as defined in s. 943.10(1) if the use of the prohibited
89 application is necessary to protect the public safety or conduct
90 an investigation.

91 2. A governmental entity or a public educational
92 institution may request a waiver from the department to allow
93 designated employees to access a prohibited application on a
94 government-issued device if the access is deemed necessary to
95 conduct governmental or educational business.

96 (c) An employee of a governmental entity or a public
97 educational institution who has already downloaded a prohibited
98 application to his or her government-issued device in violation
99 of paragraph (b) must remove, delete, or uninstall such
100 application by August 1, 2023.

101 (4) The department shall adopt rules necessary to
102 administer this section.

103 Section 2. This act shall take effect July 1, 2023.