

RESOLUTION #362

A Resolution of the City of Highland Haven

Prohibited Technology Policy

WHEREAS, Pursuant to Texas SB. 1893 which went into effect September 1, 2023, the City of Highland Haven hereby adopts a Prohibited Technology Policy prohibiting the installation of TikTok or any application covered by Chapter 620 of the Texas Government Code on any device owned or leased by the City and requiring removal of the application if already installed/ and constitutes a valuable guide for employees of the City; and

WHEREAS, the City shall also adopt a policy prohibiting the employee use of those applications for City-related business; and

WHEREAS, TikTok may be installed and used to the extent necessary for providing law enforcement or developing or implementing information security measures, and used in compliance and documented measures to mitigate risks to the security of governmental entity information; and

WHEREAS, The Board of Aldermen authorizes the Mayor to execute all documents necessary to complete this transaction.

THEREFORE, BE IT RESOLVED by the Board of Aldermen for the City of Highland Haven, Texas that:

SECTION 1. That the Board of Aldermen adopts the Prohibited Technologies Policy as listed in Exhibit "A"

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE CITY OF HIGHLAND HAVEN, TEXAS ON THIS THE 5th DAY OF NOVEMBER 2024.

Olan Kelley

Olan Kelley, Mayor

Attest:

Lezley Baum

Lezley Baum, City Secretary





"EXHIBIT A"

CITY OF HIGHLAND HAVEN

Covered Applications and Prohibited Technology Policy

Date: November 5, 2024

Version: 1.0

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1.0 INTRODUCTION

1.1 PURPOSE

On December 7, 2022, Governor Greg Abbott required all state agencies to ban the video-sharing application TikTok from all state-owned and state-issued devices and networks over the Chinese Communist Party's ability to use the application for surveilling Texans. Governor Abbott also directed the Texas Department of Public Safety (DPS) and the Texas Department of Information Resources (DIR) to develop a plan providing state agencies guidance on managing personal devices used to conduct state business. Following the issuance of the Governor's directive, the 88th Texas Legislature passed [Senate Bill 1893](#), which prohibits the use of covered applications on governmental entity devices.

As required by the Governor's directive and Senate Bill 1893, this model policy establishes a template that entities subject to the directive or bill may mimic to prohibit the installation or use of covered applications or prohibited technologies on applicable devices.

1.2 SCOPE AND APPLICATION

Due to distinctions in requirements between the Governor's directive and SB 1893, Sections 2 and 3 apply to distinct organizations. Where appropriate, each section will identify the unique entities to whom the section applies and the appropriate definitions.

Governmental entities, including local governments, must adopt a covered applications policy as described by [Section 2.0](#).

State agencies to whom the Governor issued his December 7, 2022, directive must adopt a prohibited technology policy as described by [Section 3.0](#). To the extent a state agency is also subject to the requirements of Senate Bill 1893, that agency must also adopt a covered applications policy as described by [Section 2.0](#).

2.0 COVERED APPLICATIONS POLICY FOR GOVERNMENTAL ENTITIES

2.1 SCOPE AND DEFINITIONS

Pursuant to Senate Bill 1893, governmental entities, as defined below, must establish a covered applications policy:

- 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 Education Code Section 61.003.
- The supreme court, the court of criminal appeals, a court of appeals, a district court, or the Texas Judicial Council or another agency in the judicial branch of state government.
- A political subdivision of this state, including a municipality, county, or special purpose district.

This policy applies to all City of Highland Haven full- and part-time employees, contractors, paid or unpaid interns, and other users of government networks. All City of Highland Haven employees are responsible for complying with this policy.

A covered application is:

- The social media service TikTok or any successor application or service developed or provided by ByteDance Limited, or an entity owned by ByteDance Limited.
- A social media application or service specified by proclamation of the governor under Government Code Section 620.005.

2.2 COVERED APPLICATIONS ON GOVERNMENT-OWNED OR LEASED DEVICES

Except where approved exceptions apply, the use or installation of covered applications is prohibited on all government-owned or -leased devices, including cell phones, tablets, desktop and laptop computers, and other internet-capable devices.

City of Highland Haven will identify, track, and manage all government-owned or -leased devices including mobile phones, tablets, laptops, desktop computers, or any other internet-capable devices to:

- a. Prohibit the installation of a covered application.
- b. Prohibit the use of a covered application.
- c. Remove a covered application from a government-owned or -leased device that was on the device prior to the passage of S.B. 1893 (88th Leg, R.S.).
- d. Remove an application from a government-owned or -leased device if the Governor issues a proclamation identifying it as a covered application.

City of Highland Haven will manage all government-owned or leased mobile devices by implementing the security measures listed below:

- a. Maintain the ability to wipe non-compliant or compromised mobile devices.
- b. Maintain the ability to uninstall unauthorized software from mobile devices.

2.3 ONGOING AND EMERGING TECHNOLOGY THREATS

To provide protection against ongoing and emerging technological threats to the government's sensitive information and critical infrastructure, DPS and DIR will regularly monitor and evaluate additional social media applications or services that pose a risk to this state.

DIR will annually submit to the Governor a list of social media applications and services identified as posing a risk to Texas. The Governor may proclaim items on this list as covered applications that are subject to this policy.

If the Governor identifies an item on the DIR-posted list described by this section, then **City of Highland Haven** will remove and prohibit the covered application.

City of Highland Haven may also prohibit social media applications or services in addition to those specified by proclamation of the Governor.

2.4 BRING YOUR OWN DEVICE POLICY

If **City of Highland Haven** has a "Bring Your Own Device" (BYOD) program, then the

City of Highland Haven may consider prohibiting the installation or operation of covered applications on employee-owned devices that are used to conduct government business.

2.5 COVERED APPLICATION EXCEPTIONS

The mayor and/or City Administrator may permit exceptions authorizing the installation and use of a covered application on government-owned or -leased devices consistent with the authority provided by Government Code Chapter 620.

Government Code Section 620.004 only allows **City of Highland Haven** to install and use a covered application on an applicable device to the extent necessary for:

- (1) Providing law enforcement; or
- (2) Developing or implementing information security measures.

If the mayor and/or City Administrator authorizes an exception allowing for the installation and use of a covered application, **City of Highland Haven** must use measures to mitigate the risks posed to the state during the application's use.

3.0 POLICY COMPLIANCE

All **City of Highland Haven** employees shall sign an affidavit confirming their understanding of the city's covered applications and prohibited technology policies.

City of Highland Haven will verify compliance with this policy through various methods, including but not limited to, IT/security system reports and feedback to leadership.

An employee found to have violated this policy may be subject to disciplinary action, including termination of employment.

4.0 POLICY REVIEW

This policy will be reviewed annually and updated as necessary to reflect changes in state law, additions to applications identified under Government Code Section 620.006, updates to the prohibited technology list posted to DIR's website, or to suit the needs of **City of Highland Haven**

ADDENDUM A

The up-to-date list of prohibited technologies is published at <https://dir.texas.gov/information-security/prohibited-technologies>. The following list is current as of 01/23/23.

PROHIBITED SOFTWARE/APPLICATIONS/DEVELOPERS (AS OF 1/23/23)

- Alipay
- ByteDance Ltd.
- CamScanner
- Kaspersky
- QQ Wallet
- SHAREit
- Tencent Holdings Ltd.
- TikTok
- VMate
- WeChat
- WeChat Pay
- WPS Office
- Any subsidiary or affiliate of an entity listed above.

PROHIBITED HARDWARE/EQUIPMENT/MANUFACTURERS (AS OF 1/23/23)

- Dahua Technology Company
- Huawei Technologies Company
- Hangzhou Hikvision Digital Technology Company
- Hytera Communications Corporation
- SZ DJI Technology Company
- ZTE Corporation
- Any subsidiary or affiliate of an entity listed above.