Local Government Mandate Statement Kentucky Legislative Research Commission 2023 Regular Session

Part I: Measure Information

Bill Request #:							
Bill #: HB 155							
Document ID #: 1728							
Bill Subject/Title: AN ACT relating to banning social media applications from public agency technology and declaring an emergency.							
Sponsor: Representative Susan Witten							
Unit of Government:XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment							
Office(s) Impacted: Any office that has the TikTok app on its IT system							
Requirement: <u>X</u> Mandatory Optional							
Effect on Powers & Duties: Modifies Existing _ X Adds New Eliminates Existing							

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 155 Section 1 would create a new section of KRS Chapter 61 to forbid any public agency, its employees, or persons who contract with a public agency to access TikTok on any network owned, operated, or under the control of a public agency, or on any device issued by a public agency that is capable of internet connectivity (for example cellphones, computers). The bill defines "public agency" broadly to include a county and city governing body and the governing body of a school district, special district, municipal corporation, and all affiliated bodies. The bill would require all public agency or while connected to any network owned, operated, or under the control of a public agency. Section 2 declares an emergency and that HB 155 would take effect on its passage and approval by the Governor or otherwise becoming law.

The fiscal impact of HB 155 is undeterminable but most likely minimal to moderate. Some local governments report using TikTok to vet or recruit potential employees. Louisville Metro Government reports that it currently blocks TikTok generally on Metro devices through its web filtering policy, though a few agencies have provisional permission to use the platform, so long as there is no connection to the city's network. Louisville Metro reports that it would not be burdensome to enforce a ban on TikTok.

The Kentucky Association of Counties (KACo) believes the fiscal impact on local governments of banning TikTok is indeterminable but could be minimal to substantial for local governments. The fiscal burden on local governments would be largely administrative and would depend on the current capability of local governments to comply with and monitor the ban, and the complexity and/or level of sophistication of IT systems in local governments. Local governments without a dedicated IT staff may have to hire someone to install web filtering or other capability on their internet system.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II applies to HB 155 as introduced. There is no earlier version for comparison.

Data Source(s):	Lexington-Fayette Urban County Government; Kentucky Association of				
	Counties; Louisville Metro Government				

Preparer:	Mary Stephens (JB)	Reviewer:	KHC	Date:	2/17/23
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