

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2140**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

6        **SECTION 1.** (1) This section shall be known and may be cited  
7 as the "National Security on State Devices and Networks Act."

8        (2) For the purposes of this section, the following words  
9 and phrases shall have the meanings ascribed in this section  
10 unless the context clearly indicates otherwise:

11           (a) "Prohibited technology" means any information  
12 technology deemed to pose an unacceptable risk to the security of  
13 the United States and/or the State of Mississippi by Mississippi  
14 and/or federal law, regulation, or guidance.



15           (b) "State-issued devices" means any desktop computer,  
16 laptop computer, cell phone, tablet or any other device capable of  
17 Internet connectivity that is issued to a state employee pursuant  
18 to his or her employment and for use in carrying out his or her  
19 professional duties.

20           (c) "State-operated networks" means any  
21 telecommunications network, including, but not limited to,  
22 wireless local area networks, wireless guest networks, virtual  
23 private networks, or other information technology network systems  
24 owned or operated by the Mississippi Department of Information  
25 Technology Services or any other state agency.

26           (d) "State agency" means any agency, department,  
27 commission, board, bureau, institution or other instrumentality of  
28 the state.

29           (e) "State employee" means an employee or agent  
30 complying with and performing duties on behalf of the state.

31           (3) No state employee shall download, access, or use a  
32 prohibited technology on a state-issued device or a state-operated  
33 network.

34           (4) State agencies may restrict the download, access, or use  
35 of prohibited technologies.

36           (5) The provisions of this section shall not apply to law  
37 enforcement agencies of the state or its political subdivisions  
38 when downloading, accessing, or using a prohibited technology is



39 necessary to carry out their official duties for bona fide law  
40 enforcement, investigative or public safety purposes.

41 **SECTION 2.** Section 25-53-191, Mississippi Code of 1972, is  
42 amended as follows:

43 25-53-191. (1) For the purposes of this section, the  
44 following terms shall have the meanings ascribed to them in this  
45 section unless the context otherwise clearly requires:

46 (a) "Department" means the Mississippi Department of  
47 Information Technology.

48 (b) "State agency" means any agency, department,  
49 commission, board, bureau, institution or other instrumentality of  
50 the state.

51 (c) "Wireless communication device" means a cellular  
52 telephone, pager or a personal digital assistant device having  
53 wireless communication capability.

54 (2) Before a wireless communication device may be assigned,  
55 issued or made available to an agency officer or employee, the  
56 agency head, or his designee, shall sign a statement certifying  
57 the need or reason for issuing the device. No officer or employee  
58 of any state agency, except for an officer or employee of the  
59 Mississippi Emergency Management Agency, shall be assigned or  
60 issued more than one (1) such wireless communication device. No  
61 officer or employee of any state agency to whom has been assigned,  
62 issued or made available the use of a wireless communication



63 device, the cost of which is paid through the use of public funds,  
64 shall use such device for personal use.

65 (3) A state agency shall not reimburse any officer or  
66 employee for use of his or her personal wireless communication  
67 device.

68 (4) Every state agency that, at the expense of the state  
69 agency, assigns, issues or makes available to any of its officers  
70 or employees a wireless communication device shall obtain and  
71 maintain detailed billing for every wireless communication device  
72 account. A list of approved vendors for the procurement of  
73 wireless communication devices and the delivery of wireless  
74 communication device services shall be developed for all state  
75 agencies by the Mississippi Department of Information Technology  
76 Services \* \* \*. The department \* \* \* shall exercise the option of  
77 selecting one (1) vendor from which to procure wireless  
78 communication devices and to provide wireless communication device  
79 services, or if it deems such to be most advantageous to the state  
80 agencies, it may select multiple vendors. The department \* \* \*  
81 shall select a vendor or vendors on the basis of lowest and best  
82 bid proposals. A state agency may not procure a wireless  
83 communication device from any vendor or contract for wireless  
84 communication device services with any vendor unless the vendor  
85 appears on the list approved by the department \* \* \*. A contract  
86 entered into in violation of this section shall be void and  
87 unenforceable.



88           (5) The department shall promulgate a model acceptable use  
89 policy defining the appropriate use of all wireless communication  
90 devices. The department shall include in its definition of  
91 appropriate use a prohibition on the downloading, accessing, or  
92 using of a prohibited technology pursuant to the National Security  
93 on State Devices and Networks Act. The acceptable use policy  
94 should specify that these resources, including both devices and  
95 services, are provided at the state agency's expense as tools for  
96 accomplishing the business missions of the state agency; that all  
97 those resources are for business use; and that more than  
98 incidental personal use of those resources is prohibited. The  
99 acceptable use policy should require that each official and  
100 employee issued one (1) of the above devices or authorized to  
101 access one (1) of the above services sign the policy and that the  
102 signed copy be placed in the personnel file of the official or  
103 employee. The acceptable use policy should also require that the  
104 use of these resources be tracked, verified and signed by the  
105 official or employee and the supervisor of the official or  
106 employee at each billing cycle or other appropriate interval. All  
107 state agencies shall adopt the model policy or adopt a policy that  
108 is, at minimum, as stringent as the model policy and shall provide  
109 a copy of the policy to the department.

110           (6) All state agencies shall purchase or acquire only the  
111 lowest cost cellular telephone, pager or personal digital  
112 assistance device which will carry out its intended use.



113 (7) The University of Mississippi Medical Center and its  
114 employees, the Mississippi State University Extension Service and  
115 its agents and faculty members, the Mississippi State University  
116 Agricultural and Forestry Experiment Station and its faculty  
117 members, the Mississippi State University Forestry and Wildlife  
118 Research Center and its faculty members, and the Mississippi State  
119 University College of Veterinary Medicine and its faculty members  
120 shall be exempt from the application of this section.

121 (8) The State Auditor shall conduct necessary audits to  
122 ensure compliance with the provisions of this section.

123 **SECTION 3.** Section 1 of this act shall be codified as a new  
124 section in Title 25, Chapter 53, Mississippi Code of 1972.

125 **SECTION 4.** This act shall take effect and be in force from  
126 and after July 1, 2023.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO CREATE A NEW SECTION WITHIN TITLE 25, CHAPTER 53,  
2 MISSISSIPPI CODE OF 1972, TO CREATE THE NATIONAL SECURITY ON STATE  
3 DEVICES AND NETWORKS ACT; TO AMEND SECTION 25-53-191, MISSISSIPPI  
4 CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

