

An Act

ENROLLED SENATE
BILL NO. 198

By: Standridge of the Senate

and

McDugle of the House

An Act relating to social media; requiring the development of social networking and social media policy and standards; defining terms; stating that the guidelines shall apply to certain employees; requiring that each policy shall prohibit the sharing of certain content or comments; requiring distribution to all affected employees; providing exemption from liability; providing for codification; and providing an effective date.

SUBJECT: Social media

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 840-8.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

Social Networking and Social Media Policy and Standards

A. All state agencies and all political subdivisions of this state, shall adopt a social networking and social media policy that shall apply to the use of social media by state employees and employees of any political subdivision of this state to discourage abusive or offensive online behavior.

For purposes of this section, the following definitions shall apply:

1. "Social networking" or "social media" means interaction with external websites or services based upon participant contributions to the content. Types of social media include social and professional networks, blogs, micro blogs, video or photo sharing and social bookmarking; and

2. "Comment" means a response to an article or social media content submitted by a commenter.

B. The social media and social networking policy developed by each agency and political subdivision of this state utilizing the guidelines established in this section shall apply to all state employees and employees of any political subdivision of this state who utilize social media or social networking networks for work purposes.

C. Social media and social networking policies developed by each agency and political subdivision of this state shall discourage the sharing of content or comments by state employees and employees of any political subdivision of this state containing the following, when it is directed at a citizen of the State of Oklahoma:

1. Obscene sexual content or links to obscene sexual content;
2. Abusive behavior and bullying language or tone;
3. Conduct or encouragement of illegal activity; and

4. Disclosure of information which an agency and its employees are required to keep confidential by law, regulation or internal policy.

D. Social media and social networking policies developed by each state agency and political subdivision of this state in accordance with the requirements established in this section shall be distributed to each affected employee by email.

E. The state or a political subdivision shall not be liable if a loss or claim results from any action undertaken in their discretion pursuant to the provisions of this act.

SECTION 2. This act shall become effective November 1, 2019.

Passed the Senate the 12th day of March, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____