

## Memorandum

**To:** Agency CIOs

**From:** James A. Weaver, Secretary and State Chief Information Officer

**CC:** Dylan Frick, NCDIT Director of Legislative Affairs  
Agency Legislative Liaisons  
N.C. General Assembly

**Subject:** Implementation of SL 2024-26 – Prohibition on Viewing Pornography on Government Networks and Devices

**Date:** Dec. 20, 2024

---

## Purpose

This memo outlines key requirements under [SL 2024-26](#), Section 7, and provides directives to ensure compliance. Specifically, it addresses:

1. The State Chief Information Officer's (CIO) obligations to draft reports and publish recommendations for the appropriate viewing of pornography on state owned networks and devices.
2. The directive for employees and others covered by the statute to adopt acceptable use policies for state owned devices and networks, and delete unauthorized pornography from public agency devices by January 1, 2025.
3. The timeline for the State CIO to issue the required reporting format.
4. NCDIT's intention to support, *but not request*, legislative funding for a content filtering tool available to all public agencies.

## State CIO Obligations

### Drafting and Submitting Reports

As required by Section 7(a)(f), the State CIO must compile and submit an annual report on incidents of unauthorized viewing or attempted viewing of pornography on public agency networks and devices. This report will be submitted to the Joint Legislative Oversight Committee on Information Technology and will include the requisite information provided by the public agencies defined in § 143-805(g)(5).

- Deadline for Public Agencies to Submit Data to State CIO: Annually, no later than August 1.
- Deadline for CIO to Submit Report: Annually, no later than October 1.

The report must include:

- The number of incidents involving unauthorized viewing or attempts.
- Identification of whether the individuals involved were employees, elected officials, appointees, or students.
- Whether incidents occurred on public agency-controlled devices.

## Publishing Recommendations on Appropriate Viewing

Per Section 7(e) of the statute, the CIO must publish recommendations for the appropriate viewing of pornography by January 1, 2025.

These recommendations are limited to the exceptions outlined in § 143-805(d), including:

1. Investigating or prosecuting crimes, offering or participating in law enforcement training, or performing actions related to other law enforcement purposes.
2. Identifying potential security or cybersecurity threats.
3. Protecting human life.
4. Establishing, testing, and maintaining firewalls, protocols, and otherwise implementing this section.
5. Participating in judicial or quasi-judicial proceedings.
6. Conducting or participating in an externally funded research project at one of the constituent institutions of The University of North Carolina.
7. Researching issues related to the drafting or analysis of the laws of this State as necessary to fulfill the requirements of the employee's official duties.

**Except for these specific circumstances, the State CIO recommends no other appropriate viewing of pornography on state owned networks or devices.**

## Directive for Deleting Unauthorized Pornography

Section 7(b) mandates that any pornography not explicitly permitted under § 143-805(d) must be removed from public agency devices by January 1, 2025. Any employee, elected official, or appointee of a public agency with pornography saved to a device owned, leased, maintained or otherwise controlled by a public agency shall delete the pornography by January 1, 2025.

- Compliance Deadline: January 1, 2025

## Timeline for Issuing the Reporting Format

To facilitate standardized reporting, the State CIO will publish the required reporting format for public agencies by March 1, 2025. This deadline, not specified in the statute, ensures agencies have sufficient time to prepare their annual reports due August 1.

## Directive for Prohibiting Access to Unauthorized Pornography

Section 7(a)(a) and Section 7(a)(b) requires public agencies to prohibit employees, elected officials, or appointees of the agency to view unauthorized pornography on state owned networks and devices. Section 7(a)(b) further requires public agencies to prohibit students of the agency from unauthorized viewing of pornography on state owned devices.

Section 7(a)(c) requires each public agency to adopt an acceptable use policy governing the use of its network and devices. Each acceptable use policy shall delineate the disciplinary actions that will be taken in response to a violation of the policy.

Agencies may refer to the [Acceptable Use Policy \(AUP\)](#) published by NCDIT for guidance.

NCDIT currently does not possess a content filtering tool available to all public agencies covered by the statute. Therefore, public agencies should rely on content filtering tools they currently possess to both prohibit access to unauthorized pornography and track the number of incidences of viewing or attempted viewing of unauthorized pornography (as obligated in the annual report required by Section 7 (a)(f)).

To assist public agencies in complying with SL 2024-26, NCDIT will support, *but not request*, legislative funding for a content filtering tool. This tool should be made available to all public agencies to block unauthorized access to pornography on networks and devices.

**Summary of Deadlines**

Action	Responsible Party	Deadline
Deletion of unauthorized pornography	Employees/Students	January 1, 2025
Adoption of usage policy	Public Agencies	October 1, 2024
Publication of recommendations for authorized viewing of pornography	State CIO	January 1, 2025
Publication of reporting format	State CIO	March 1, 2025
Submission of incident reports to CIO	Public Agencies	August 1 (Annually)
Compilation of CIO report to legislature	State CIO	October 1 (Annually)