



House of Representatives

General Assembly

File No. 329

January Session, 2021

House Bill No. 5108

House of Representatives, April 8, 2021

The Committee on Higher Education and Employment Advancement reported through REP. ELLIOTT of the 88th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT REQUIRING PUBLIC INSTITUTIONS OF HIGHER EDUCATION TO ESTABLISH A POLICY REGARDING FREEDOM OF EXPRESSION ON CAMPUS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective July 1, 2021*) (a) Not later than January 1, 2022, the
2 Board of Trustees of The University of Connecticut and the Board of
3 Regents for Higher Education shall develop and adopt a policy on
4 freedom of expression at the public institutions of higher education
5 governed by said boards. Such policy shall include, but not be limited
6 to, (1) the goal of prioritizing freedom of expression in the fulfillment of
7 such institution's mission, including, but not limited to, freedom of
8 expression in research, teaching, discussion and debate, (2) the role of
9 the institution in protecting freedom of expression on campus,
10 including when the ideas or opinions expressed are disagreeable or
11 offensive, (3) reasonable limitations on time, place and manner of
12 expression, provided such limitations are content-neutral and necessary
13 to a compelling institutional interest, (4) allowance for protest or

14 demonstration by any person lawfully present on campus, including a
 15 spontaneous protest or demonstration, provided such protest or
 16 demonstration does not substantially or materially interfere with such
 17 institution's function or in the ability of others to engage in or listen to
 18 an expressive activity, (5) the designation of public areas on campus as
 19 public forums that are open on the same terms to any speaker, and (6)
 20 the availability of resources for protecting the safety and freedom of
 21 expression of any speaker invited on campus by any student, student
 22 group or faculty member, which resources shall be available on the same
 23 terms to any invited speaker.

24 (b) Not later than February 1, 2022, the Board of Trustees of The
 25 University of Connecticut and the Board of Regents for Higher
 26 Education shall submit, in accordance with the provisions of section 11-
 27 4a of the general statutes, to the joint standing committee of the General
 28 Assembly having cognizance of matters relating to higher education the
 29 policy adopted pursuant to the provisions of subsection (a) of this
 30 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	New section

HED *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which requires the constituent unit governing boards to each develop and adopt a policy on freedom of expression, results in no fiscal impact to the constituent units. The constituent units have sufficient expertise to create these policies.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis

HB 5108

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SUMMARY

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 20 Nay 2 (03/22/2021)