



House of Representatives

General Assembly

File No. 156

January Session, 2023

Substitute House Bill No. 6567

House of Representatives, March 22, 2023

The Committee on Higher Education and Employment Advancement reported through REP. HADDAD of the 54th Dist., Chairperson of the Committee on the part of the House, that the substitute 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, 2023*) (a) Not later than January 1, 2024, the
2 Board of Trustees of The University of Connecticut and the Board of
3 Regents for Higher Education shall each 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 the 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 the
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, (6) the
20 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, and (7) allowance for enrolled students to
24 engage other students in discussion or to distribute to other students
25 written materials that are political, social, educational, religious or
26 cultural in nature in various locations throughout campus, including,
27 but not limited to, common areas of dormitories and inside and outside
28 of student union buildings, provided (A) such discussion or distribution
29 of written materials does not substantially or materially interfere with
30 such institution's function; and (B) such discussion or written material
31 is not, as determined by the Board of Trustees of The University of
32 Connecticut or the Board of Regents for Higher Education for the
33 respective institutions governed by said boards, obscene, defamatory,
34 fraudulent, an incitement of imminent violence or criminal action,
35 fighting words, true threats, integral to criminal conduct, pornographic
36 or any other category of speech found by any court of competent
37 jurisdiction not to be speech that is protected by the United States
38 Constitution or the Constitution of the state.

39 (b) Not later than February 1, 2024, the Board of Trustees of The
40 University of Connecticut and the Board of Regents for Higher
41 Education shall submit, in accordance with the provisions of section 11-
42 4a of the general statutes, to the joint standing committee of the General
43 Assembly having cognizance of matters relating to higher education the
44 policy adopted pursuant to the provisions of subsection (a) of this
45 section.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	July 1, 2023	New section
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Statement of Legislative Commissioners:

In Subsec. (a)(7)(B), "to be unprotected under" was changed to "not to be speech that is protected by" for clarity.

HED *Joint Favorable Subst. -LCO*

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 requires UConn and the Board of Regents of Higher Education to each develop and adopt a policy on freedom of expression for public institutions of higher education. This is not anticipated to result in a fiscal impact as UConn and the Board of Regents have the staff and expertise necessary to do so.

The Out Years

State Impact: None

Municipal Impact: None



OLR Bill Analysis

sHB 6567

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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 22 Nay 0 (03/07/2023)