

**Bill Summary**  
1<sup>st</sup> Session of the 57<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 361</b>
<b>Version:</b>	<b>INT</b>
<b>Request No.:</b>	<b>1250</b>
<b>Author:</b>	<b>Sen. Daniels</b>
<b>Date:</b>	<b>01/16/2019</b>

**Bill Analysis**

SB 361 classifies all outdoor areas of campuses of public higher education institutions as public forums and prohibits these institutions from establishing “free speech” zones, outside of which, expressive activities are prohibited. Any restrictions on public expression must be narrowly tailored in service of a significant institutional interest and must be clear and concise. The measure permits any person to engage in noncommercial expressive activity on campus so long as they do not cause a material disruption.

Public institutions of higher education must publish its regulations and expectations on the conduct of their students related to public expression and educate their staff on the institutions’ guidelines. The measure also directs public institutions to submit a report detailing their policies and compliance with the measure to the Legislature and Governor.

Any institution sued by an aggrieved party shall be subject to a penalty of at least \$5,000.00. The measure requires aggrieved parties to bring suit for a violation of the measure’s provisions within at least one year of the violation.

Prepared by: Kalen Taylor

**Fiscal Analysis**

FY’20 Impact: Minimal

Full Year Impact: Minimal

Prepared by: Fiscal Staff