



215150

LEGISLATIVE ACTION

Senate

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House

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The Committee on Education (Thurston) recommended the following:

1           **Senate Amendment to Amendment (101332) (with title**  
2 **amendment)**

3  
4           Delete lines 40 - 62

5 and insert:

6           (3) SPEAKERS RESERVING CAMPUS FACILITIES.-

7           (a) Where space has been exclusively scheduled or reserved  
8 on campus for a speaker who has an agreement with a public  
9 institution of higher education, the students, faculty, or staff  
10 of the public institution of higher education may not  
11 intentionally and materially disrupt the scheduled activity in



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12 such a substantial manner as to prevent or foreclose the speaker  
13 from expressing his or her speech.

14 (b) Nothing in this section prohibits a person from  
15 expressing his or her protected speech rights and engaging in  
16 nonviolent, nonthreatening counter-protests.

17 (c) Public institutions shall make reasonable, good faith  
18 efforts to ensure that First Amendment speech is protected and  
19 that scheduled activities on campus are not prevented by  
20 counter-protestors.

21 (4) CAUSE OF ACTION.—A person whose First Amendment speech  
22 rights may have been violated at a public institution of higher  
23 education may bring a 42 U.S.C. s. 1983 suit alleging that his  
24 or her First Amendment rights have been infringed.

25  
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 Delete lines 84 - 86

29 and insert:

30 Delete lines 7-10

31 and insert:

32 activities on campus; allowing counter-protests under  
33 certain circumstances; providing for a cause of action  
34 against a public institution of higher education for  
35 violations of the act; amending s.