

BILL SUMMARY
2nd Session of the 56th Legislature

Bill No.:	HB3586
Version:	INT
Request Number:	8585
Author:	McCall
Date:	2/16/2018
Impact:	Please see previous summary of this measure

Research Analysis

The introduced measure creates the Forming Open and Robust University Minds Act, which protects individuals' rights to lawful expression on campuses of state educational institutions, including verbal or written communication, peaceful assembly and protests. It stipulates outdoor areas are traditional public forums and noncommercial expressive activity on campus, outdoors or elsewhere, is permitted as long as it is not unlawful and does not materially or substantially disrupt the functioning of the institution.

Institutions have the authority to impose reasonable time, place and manner restrictions that serve a significant institutional interest so long as the restrictions employ clear, published, content- and viewpoint-neutral criteria. It stipulates student organizations must be treated equitably. Institutions must make public their policies, regulations and expectations of students regarding free expression. Institutions are responsible for informing persons who have responsibility for discipline or education of students about the policies, regulations and duty of the institution concerning free expression.

By January 1, 2019, institutions must publicly post online, and submit to the Governor and Legislature, the course of action taken to implement the provisions of the measure. In the event an institution is sued for an alleged violation of First Amendment rights, a report with a copy of the complaint must be submitted to the Governor and Legislature within 30 days. Any person or student association that is aggrieved by a violation of the provisions of the measure may bring action against an institution and must do so within 1 year after the day of the cause of action accrues. Lastly, it's the intent of the Legislature that the Oklahoma State Regents for Higher Education adopt a model policy for each state educational institution.

Prepared By: Scott Tohlen

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

Other Considerations

None.

