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LEGISLATIVE ACTION

Senate

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House

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The Committee on Appropriations (Baxley) recommended the following:

1           **Senate Amendment to Amendment (240726) (with title**  
2 **amendment)**

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4           Between lines 2023 and 2024  
5 insert:

6           Section 25. Section 1004.097, Florida Statutes, is created  
7 to read:

8           1004.097 Free expression on campus.—

9           (1) DEFINITIONS.—As used in this section, the term:

10           (a) "Free speech zone" means a designated area on a public



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11 institution of higher education's campus for the purpose of  
12 political protesting.

13 (b) "Outdoor areas of campus" means generally accessible  
14 areas of the campus where members of the campus community are  
15 commonly allowed, including grassy areas, walkways, or other  
16 similar common areas. The term does not include outdoor areas  
17 where access is restricted.

18 (c) "Public institution of higher education" means any  
19 public technical center, state university, law school, medical  
20 school, dental school, or Florida College System institution as  
21 defined in s. 1000.21.

22 (2) RIGHT TO FREE SPEECH ACTIVITIES.-

23 (a) Expressive activities protected under this section  
24 include, but are not limited to, any lawful verbal or written  
25 means by which an individual may communicate ideas to others,  
26 including all forms of peaceful assembly, protests, speeches,  
27 and guest speakers; distributing literature; carrying signs;  
28 circulating petitions; and the recording and publication,  
29 including Internet publication, of video or audio recorded in  
30 outdoor areas of campus of public institutions of higher  
31 education.

32 (b) A person who wishes to engage in an expressive activity  
33 in the outdoor areas of campus of a public institution of higher  
34 education may do so freely, spontaneously, and contemporaneously  
35 as long as the person's conduct is lawful and does not  
36 materially and substantially disrupt the functioning of the  
37 public institution of higher education.

38 (c) The outdoor areas of campus of a public institution of  
39 higher education that accepts federal funding are considered



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40 traditional public forums. A public institution of higher  
41 education may create and enforce restrictions that are  
42 reasonable and content-neutral on time, place, and manner of  
43 expression and that are narrowly tailored to a significant  
44 institutional interest. Restrictions must be clear, be  
45 published, and provide for ample alternative means of  
46 expression.

47 (d) A public institution of higher education may not  
48 designate any area of campus as a free speech zone or otherwise  
49 create policies restricting expressive activities to a  
50 particular area of campus.

51 (e) Students, faculty, or staff of a public institution of  
52 higher education may not materially disrupt previously scheduled  
53 or reserved activities on campus occurring at the same time.

54  
55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete line 3514

58 and insert:

59 made by the act; creating s. 1004.097, F.S.; defining  
60 terms; providing applicability; authorizing a public  
61 institution of higher education to create and enforce  
62 certain restrictions relating to expressive activities  
63 on campus; providing applicability; prohibiting a  
64 public institution of higher education from  
65 designating free speech zones or other restrictive  
66 policies; prohibiting students, faculty, or staff of a  
67 public institution of higher education from materially  
68 disrupting scheduled activities; creating s. 1006.05,



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F.S.; providing