

SENATE BILL NO. 1170

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR CARTER.

3277S.01H

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to free speech policies at higher education institutions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 173, RSMo, is amended by adding thereto
2 one new section, to be known as section 173.2560, to read as
3 follows:

173.2560. 1. This section shall be known and may be
2 cited as the "College Student Free Speech and Association
3 Act".

4 2. For purposes of this section, the following terms
5 shall mean:

6 (1) "Commissioner", the commissioner of the department
7 of higher education and workforce development or the
8 commissioner's designee;

9 (2) "Official sanction", the expulsion, suspension,
10 probation, censure, condemnation, reprimand, or any other
11 disciplinary, coercive, or adverse action taken by an
12 institution of higher education or administrative unit of
13 such institution. An official sanction includes an oral or
14 written warning made by an official of an institution of
15 higher education acting in the official capacity of the
16 official;

17 (3) "Protected association", the joining, assembling,
18 and residing with others that is protected under the First

19 and Fourteenth Amendments to the United States Constitution,
20 or that would be protected if the institution of higher
21 education involved were subject to such amendments.

22 3. No student who attends an institution of higher
23 education that receives state funds, whether such attendance
24 is on a part-time or full-time basis, shall, on the grounds
25 of such student's participation in a protected association,
26 be excluded from participation in, be denied the benefits
27 of, or be subjected to discrimination or official sanction
28 under any education program, activity, or division of the
29 institution, whether or not the program, activity, or
30 division is sponsored or officially sanctioned by the
31 institution.

32 4. By August 28, 2025:

33 (1) Every institution of higher education that
34 receives state funds shall annually submit a statement to
35 the commissioner of higher education certifying that the
36 institution has reviewed its current policies and that those
37 policies comply with the institution's obligations pursuant
38 to this section and the First Amendment to the United States
39 Constitution;

40 (2) Every privately operated institution of higher
41 education that receives state funds shall annually submit a
42 statement to the commissioner disclosing whether it
43 guarantees its students freedom of speech and association
44 rights equivalent to the rights guaranteed to students at
45 public institutions of higher education; and

46 (3) The commissioner shall review the educational
47 institutions' disclosures and publish the disclosures and
48 the list of institutions that fail to provide such
49 disclosures on the website of the department of higher

50 education and workforce development in a publicly accessible
51 and searchable database.

52 5. Nothing in this section shall be construed to:

53 (1) Prohibit the imposition of an official sanction on
54 a student who has willfully participated in the material and
55 substantial disruption or attempted material and substantial
56 disruption of a lecture, class, speech, presentation, or
57 performance made or scheduled to be made under the auspices
58 of the institution of higher education; or

59 (2) Prohibit an institution of higher education from
60 taking appropriate and effective action to prevent
61 violations of state liquor laws, to discourage binge
62 drinking and other alcohol abuse, to protect students from
63 sexual harassment, including but not limited to assault and
64 date rape, to prevent hazing, or to regulate unsanitary or
65 unsafe conditions in any student residence.

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