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[SF 274](#) – College Campus Free Speech (LSB1739SV.1)  
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Fiscal Note Version – Final Action

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**Description**

[Senate File 274](#) requires the Board of Regents and the boards of directors of the community colleges to adopt policies regarding free speech on campuses. The Bill requires that the policies include specific provisions regarding the proper function and role of the institutions of higher education, the freedoms to be afforded students, and the use of public areas of campus for public forums.

The Bill identifies protected activities for members of a campus community and specifies certain responsibilities of the institutions. The Bill deems the outdoor areas of the institutions' campuses to be public forums. The Bill excludes areas outside of campus health care facilities from being considered or designated public forums.

The Bill provides remedies for members of a campus community who are aggrieved by a violation of the legislation and specifies that the legislation does not make any administrator, officer, employee, or agent of an institution personally liable for acts taken pursuant to the individual's official duties.

The Bill may include a State mandate as defined in Iowa Code section [25B.3](#).

The Bill takes effect upon enactment.

**Fiscal Impact**

[Senate File 274](#) may have a fiscal impact related to increased future exposure to litigation for the community colleges and State universities; however, the number of future complaints related to campus free speech provisions required in the Bill is unknown. In addition, the legal and settlement costs incurred by the State or by the institutions because of future litigation cannot be estimated. There may also be a fiscal impact related to the need for increased security for large events. The number of such events or the security costs cannot be estimated.

**Sources**

Board of Regents  
Iowa Association of Community College Trustees

/s/ Holly M. Lyons

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May 14, 2019