

RÉSUMÉ DIGEST

HB 269

2017 Regular Session

Lance Harris

Proposed law would have provided for a state policy on free expression on public postsecondary education institution campuses, including the following major components:

- (1) Would have required each public postsecondary education management board to develop and adopt policies on free expression, containing specific enumerated statements and provisions.
- (2) Would have required the Bd. of Regents to create a committee on free expression to issue annual reports of the status of free expression on campuses, based on various metrics.
- (3) Would have authorized the management boards to adopt regulations to further the purposes of the adopted policy.
- (4) Would have required institutions to include in freshman orientation programs a description of the free expression policies and regulations.
- (5) Would have authorized institutions to restrict expressive conduct with certain limitations.

(Proposed to add R.S. 17:3399.31-3399.35)

VETO MESSAGE:

Please be advised that I have vetoed House Bill 269 of the 2017 Regular Session. This bill is a solution in search of a problem that creates a long, detailed structure for the evaluation of the freedom of expression on college campuses. However, this bill is unnecessary and overly burdensome to our colleges and universities as the freedoms this bill attempts to protect are already well-established by the bedrock principles declared in the First Amendment to the United States Constitution and Article 1, Section 7 of the Louisiana Constitution.

Just last week, the United States Supreme Court reminded us of the importance of protecting free expression by reiterating that "the public expression of ideas may not be prohibited merely because the ideas themselves are offensive to their hearers." *Matal v. Tam*, 582 U.S. ___, 22-23 (2017). This commitment to the freedom of speech is especially important for students attending our public colleges and universities. However, House Bill 269, which requires complex policies for the regulation of freedom of speech, sets up a detailed regime for discipline involving freedom of speech, and establishes a "Committee on free expression" under the Board of Regents, which is overly complicated and would only frustrate the goals it purports to achieve. The protection of speech has survived and flourished in the 226 years since the adoption of the First Amendment and it will continue to do so without House Bill 269 becoming the law of Louisiana. With this in mind, I have chosen to veto House Bill 269.