



**House
Legislative
Analysis
Section**

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COLLEGIATE SPEECH PROTECTION

House Bill 5059

Sponsor: Rep. Stephen Dresch

Committee: Colleges & Universities

Complete to 8-27-91

A SUMMARY OF HOUSE BILL 5059 AS INTRODUCED 8-1-91

The bill would create the Michigan Collegiate Speech Protection Act to prohibit state-supported postsecondary educational institutions (colleges and universities that participate in state-funded student financial aid programs) from establishing or enforcing certain rules or policies. Under the bill, these institutions could not discipline a student for speech or other conduct that is protected from government restriction under the First Amendment to the United States Constitution. A student whose rights were violated under the bill would be entitled to bring a civil action in the circuit court. The court would be required to order appropriate injunctive or declaratory relief, or both, and to award costs and reasonable attorney fees to the prevailing plaintiff. The provisions of the bill would not apply to a state-supported postsecondary institution that was controlled by a religious organization if those provisions were in conflict with the organization's religious tenets.

House Bill 5059 (8-27-91)