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Sponsor Testimony House Bill 88
Civil Justice Committee
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Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and Members of the Civil Justice Committee, thank you for allowing me to provide sponsor testimony on House Bill 88, which would protect free speech on Ohio's college and university campuses.

Public institutions of higher education, funded in part by appropriations of taxpayer dollars, must not engage in creating policies and procedures which blunt or curtail faculty, staff, student or invited guest First Amendment rights. A number of incidents on our campuses and across the nation have unfairly restricted the speech of conservative and pro-life students. The General Assembly must ensure that the institutions remain constitutionally compliant.

This is why we introduced HB 88, which would do the following:

--Protect expressive activities (lawful speech, written, audio-visual or electronic communications) to communicate ideas at public institutions of higher education. This also includes peaceful assembly, protests, speeches, literature distribution, petition circulation, sign display and guest speakers.

--Bar the development of expressive speech-restricting "free speech zones" on public campuses. Reasonable and narrowly-tailored time, place and manner restrictions that are viewpoint-neutral and allow for alternative means of expression may be permitted. Lawful student expression that does not materially and substantially disrupt the functioning of the institution is protected.

--Expressly reject enabling conduct that intentionally, materially and substantially disrupts another individual or group's lawful expression (heckler's veto) if the lawful expression is being engaged in at a campus location reserved for the activity for that group.

--Allow a civil action by individuals or student organizations against violations of this Act's protections, which can ask for injunctive relief, monetary damages, reasonable attorney's fees, and court costs. An individual or student organization may assert a violation of the Act's provisions as a defense against disciplinary action or administrative proceeding against such individual or organization.

Ohio has had an increasing number of incidents, particularly with pro-life student and student groups, where speech was chilled or silenced. This bill will ensure no future incidents occur.

I am happy to take any questions. Thank you.