

Floor Amendment to HB 1305-FN

1 Amend RSA 188-J:2, II and III as inserted by section 1 of the bill by replacing it with the following:

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3 II. The outdoor areas of campuses of public institutions of higher education in this state
4 shall be deemed public forums for members of the campus community, and public institutions of
5 higher education shall not create “free speech zones” or other designated areas of campus outside of
6 which expressive activities are prohibited. A public institution of higher education may maintain
7 and enforce reasonable time, place, and manner restrictions applicable to traditional public forums
8 and designated public forums created by a public institution of higher education, provided those
9 restrictions are narrowly tailored in service of a significant institutional interest only when such
10 restrictions employ clear, published, content- and viewpoint-neutral criteria, and provide for ample
11 alternative means of expression. Any such restrictions shall allow for members of the campus
12 community to spontaneously and contemporaneously assemble and distribute literature, provided
13 that any such activity is compliant with the institution's reasonable time, place and manner
14 restrictions. Nothing in this section shall be interpreted as limiting the right of student expression
15 elsewhere on campus.

16 III. Subject to reasonable time, place and manner restrictions, any member of the campus
17 community who wishes to engage in non-commercial expressive activity on campus shall be
18 permitted to do so freely, as long as the person’s conduct is not unlawful and does not materially and
19 substantially disrupt the functioning of the public institution of higher education, subject only to the
20 requirements of this chapter.