



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

FACT SHEET FOR S.B. 1013

colleges; universities; free speech zones

Purpose

Narrows the prohibition on an Arizona public university or community college limiting the area where free speech may be exercised to apply if the person is lawfully present and authorizes a person to engage in expressive activity in any area where the person is lawfully present on a public university or community college campus.

Background

A person who is lawfully present on a public university or community college campus may protest or demonstrate on that campus. Individual conduct that materially and substantially infringes on other persons' rights to engage or listen to expressive activity is prohibited and subject to sanction.

A public university or community college may not impose time, place and manner restrictions on student speech that occurs in a public forum and is protected by the First Amendment to the U.S. Constitution, unless the restrictions: 1) are reasonable, justified without reference to the content of the regulated speech, necessary to achieve a compelling governmental interest and the least restrictive means to further that compelling government interest; 2) leave open ample alternative channels for communication of the information; and 3) allow spontaneous assembly and distribution of literature ([A.R.S. § 15-1864](#)). Subject to reasonable time, place and manner restrictions, a public university or community college may not limit any area on campus where free speech may be exercised ([A.R.S. § 15-1865](#)).

The Arizona Board of Regents and each community college district governing board must adopt a free expression policy and establish a committee on free expression. Each committee on free expression must annually report on outlined information, including barriers to or disruptions of free expression within universities or community colleges and administrative handling and discipline relating to the barriers or disruptions ([A.R.S. §§ 15-1866 – 15-1868](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Narrows the prohibition on a public university or community college limiting the area on campus where free speech may be exercised to apply to free speech exercised by a person who is lawfully present.

FACT SHEET

S.B. 1013

Page 2

2. Authorizes a person who is lawfully present on a public university or community college campus to engage in expressive activity, including a protest or demonstration, in any area where the person is lawfully present, rather than authorizing a person who is lawfully present on a public university or community college campus to protest or demonstrate.
3. Makes technical changes.
4. Becomes effective on the general effective date.

Prepared by Senate Research
January 13, 2023
LB/MH/slp