

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 20-1062

BY REPRESENTATIVE(S) McLachlan, Arndt, Baisley, Bird, Buckner, Buentello, Caraveo, Carver, Cutter, Duran, Froelich, Garnett, Geitner, Gonzales-Gutierrez, Gray, Herod, Holtorf, Kipp, Lontine, McCluskie, Melton, Michaelson Jenet, Mullica, Roberts, Saine, Singer, Sirota, Snyder, Soper, Sullivan, Titone, Valdez A., Valdez D., Van Winkle, Weissman, Williams D., Woodrow, Young;
also SENATOR(S) Lee and Coram, Bridges, Cooke, Crowder, Gardner, Ginal, Gonzales, Hisey, Holbert, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Smallwood, Sonnenberg, Story, Tate, Todd, Woodward, Zenzinger, Garcia.

CONCERNING CLARIFICATIONS TO THE COLORADO STUDENT FREE
EXPRESSION LAW.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 22-1-120, **amend** (1);
and **add** (9) as follows:

22-1-120. Rights of free expression for public school students.

(1) The general assembly declares that students of the public schools ~~shall~~ have the right to exercise freedom of speech and of the press, and no

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

expression contained in a student publication, WHETHER PRINTED, BROADCAST, OR ONLINE, AND whether or not such publication is school-sponsored, ~~shall be~~ IS subject to prior restraint except for the types of expression described in subsection (3) of this section. ~~This section shall not prevent the advisor from encouraging expression which is~~ AN ADVISOR MAY ENCOURAGE EXPRESSION consistent with high standards of English and journalism.

(9) A PUBLIC SCHOOL EMPLOYEE MUST NOT BE DISMISSED, SUSPENDED, DISCIPLINED, REASSIGNED, TRANSFERRED, OR OTHERWISE RETALIATED AGAINST SOLELY FOR ACTING TO PROTECT A STUDENT ENGAGED IN THE CONDUCT AUTHORIZED PURSUANT TO THIS SECTION OR FOR REFUSING TO INFRINGE UPON CONDUCT THAT IS PROTECTED BY THIS SECTION OR THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO