



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBa0785/1  
MDK:wlj

**ASSEMBLY AMENDMENT 2,  
TO ASSEMBLY BILL 299**

June 21, 2017 – Offered by Representative KREMER.

1           At the locations indicated, amend the bill as follows:

2           **1.** Page 6, line 2: delete the material beginning with “violent,” and ending with  
3 “interferes with” on line 3 and substitute “violent or other disorderly conduct that  
4 materially and substantially disrupts”.

5           **2.** Page 6, line 15: delete the material beginning with “, if suspension” and  
6 ending with “potential penalties” on line 16.

7           **3.** Page 6, line 16: after that line insert:

8           “2m. Require informing a student that he or she has the option to record his  
9 or her disciplinary hearing under subd. 2.”.

10          **4.** Page 6, line 17: delete lines 17 to 19 and substitute:

11          “3. Require a formal investigation and disciplinary hearing the 2nd time a  
12 student is alleged to have interfered with the expressive rights of others.

1           4. Require suspension for a minimum of one semester of any student who has  
2 twice been found responsible for interfering with the expressive rights of others at  
3 any time during the student's enrollment.

4           5. Require the expulsion of any student who has thrice been found responsible  
5 for interfering with the expressive rights of others at any time during the student's  
6 enrollment.

7           (bm) *Reporting.* The policy required under par. (a) shall include requirements  
8 and procedures for all of the following:

9           1. Allowing any person to make a report that another person has violated this  
10 section or the policy.

11           2. Requiring a formal investigation and disciplinary hearing if 2 or more  
12 reports are made regarding the same person's violation of this section or the policy.”.

13           **5.** Page 7, line 1: delete lines 1 to 10 and substitute:

14           “(5) LEGISLATIVE REPORT. (a) Annually, no later than September 1, the Board  
15 of Regents shall submit to the governor and the chief clerk of each house of the  
16 legislature, for distribution to the appropriate standing committees under s. 13.172  
17 (3), a report that includes all of the following:”.

18           **6.** Page 7, line 14: after “subd. 1.” insert “and a description of all disciplinary  
19 hearings involving expressive conduct and the outcomes of those hearings.”.

20           **7.** Page 7, line 19: delete “council” and substitute “Board of Regents”.

21           **8.** Page 7, line 19: after that line insert:

22           “(bm) Each standing committee that receives a report under par. (a) shall hold  
23 a public hearing before taking any action regarding that report.”.

24           **9.** Page 7, line 20: delete “par. (b)” and substitute “par. (a)”.

1           **10.** Page 7, line 22: delete lines 22 to 24 and substitute:

2           “(6) NOTICE; ORIENTATION; TRAINING. (a) Upon adoption of the policy required  
3 under sub. (4) (a), the Board of Regents shall provide a notice to all students enrolled  
4 in the system informing the students about the policy.

5           (b) Each institution shall include in orientation programs for freshmen and  
6 transfer students a section describing the policies and rules regarding free  
7 expression consistent with this section. Upon hiring, each institution shall provide  
8 training to employees on those policies and rules. Each institution shall provide  
9 annual training to instructors on those policies and rules.”.

10           **11.** Page 9, line 8: after that line insert:

11           “(d) If a defendant prevails in an action brought under par. (a) and the court  
12 finds the action was frivolous or brought in bad faith, then, notwithstanding s. 814.04  
13 (1), the defendant shall recover reasonable attorney fees incurred in connection with  
14 defending the action.”.

15

(END)