

By: Representatives McCarty, Owen, Stamps

To: Education

HOUSE BILL NO. 1416
(As Sent to Governor)

1 AN ACT TO ALLOW STUDENTS IN PUBLIC SCHOOLS TO ENGAGE IN
2 POLITICAL ACTIVITIES OR PHILOSOPHICAL EXPRESSION BEFORE, DURING
3 AND AFTER THE SCHOOL DAY IN THE SAME MANNER AND TO THE SAME EXTENT
4 THAT STUDENTS MAY ENGAGE IN NONPOLITICAL ACTIVITIES OR
5 EXPRESSIONS; TO ALLOW STUDENTS TO ORGANIZE PARTISAN OR NONPARTISAN
6 POLITICAL GROUPS, POLITICAL CLUBS, POLITICAL RALLIES, OR OTHER
7 POLITICALLY THEMED GATHERINGS BEFORE, DURING AND AFTER SCHOOL TO
8 THE SAME EXTENT THAT STUDENTS ARE PERMITTED TO ORGANIZE OTHER
9 NONCURRICULAR STUDENT ACTIVITIES AND GROUPS; TO PROVIDE THAT
10 NOTHING IN THIS ACT SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF
11 THE SCHOOL, ITS AGENTS OR EMPLOYEES, TO MAINTAIN ORDER AND
12 DISCIPLINE ON SCHOOL PREMISES, TO PROTECT THE WELL-BEING OF
13 STUDENTS AND FACULTY, AND TO ASSURE THAT ATTENDANCE OF STUDENTS AT
14 MEETINGS IS VOLUNTARY; TO PROVIDE FOR THE SEVERABILITY OF THE ACT;
15 AND FOR RELATED PURPOSES.

16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

17 **SECTION 1.** Students in public schools may engage in
18 political activities or political or philosophical expression
19 before, during and after the school day in the same manner and to
20 the same extent that students may engage in nonpolitical
21 activities or expression. Students may organize partisan or
22 nonpartisan political groups, political clubs, political rallies,
23 or other politically themed gatherings before, during and after
24 school to the same extent that students are permitted to organize



25 other noncurricular student activities and groups. Partisan and
26 nonpartisan political groups must be given the same access to
27 school facilities for assembling as is given to other
28 noncurricular groups without discrimination based on the political
29 content of the students' expression.

30 **SECTION 2.** (1) It shall be unlawful for any public school
31 which has a limited open forum to deny equal access or a fair
32 opportunity to, or discriminate against, any students who wish to
33 conduct a meeting within that limited open forum on the basis of
34 the political, philosophical, ideological or other content of the
35 speech at such meetings.

36 (2) Nothing in this act shall be construed to limit the
37 authority of the school, its agents or employees, to maintain
38 order and discipline on school premises, to protect the well-being
39 of students and faculty, and to assure that attendance of students
40 at meetings is voluntary.

41 **SECTION 3.** If any provision of this act or the application
42 thereof to any person or circumstances is judicially determined to
43 be invalid, the provisions of the remainder of the act and the
44 application to other persons or circumstances shall not be
45 affected thereby.

46 **SECTION 4.** This act shall take effect and be in force from
47 and after July 1, 2022.

