

By: Senator(s) England

To: Education; Judiciary,
Division A

SENATE BILL NO. 2468

1 AN ACT TO ENACT THE FREE TO SPEAK LAW; TO DEFINE TERMS; TO
2 PROVIDE THAT AN EMPLOYEE OF A PUBLIC SCHOOL, COMMUNITY COLLEGE OR
3 UNIVERSITY SHALL NOT ADDRESS AN UNEMANCIPATED MINOR STUDENT BY A
4 NAME OTHER THAN THE STUDENT'S LEGAL NAME OR BY A PRONOUN OR TITLE
5 THAT IS INCONSISTENT WITH THE STUDENT'S SEX WITHOUT THE WRITTEN
6 PERMISSION OF A STUDENT'S PARENT OR GUARDIAN; TO PROVIDE THAT AN
7 EMPLOYEE OF A PUBLIC SCHOOL, COMMUNITY COLLEGE OR UNIVERSITY,
8 SHALL NOT BE SUBJECT TO AN ADVERSE EMPLOYMENT ACTION FOR DECLINING
9 TO ADDRESS A PERSON USING A NAME OTHER THAN THE PERSON'S LEGAL
10 NAME OR BY A PRONOUN OR TITLE THAT IS INCONSISTENT WITH THE
11 PERSON'S SEX OR FOR DECLINING TO IDENTIFY HIS OR HER PRONOUNS; TO
12 PROVIDE THAT A STUDENT OF A PUBLIC SCHOOL, COMMUNITY COLLEGE OR
13 UNIVERSITY SHALL NOT BE SUBJECT TO ANY DISCIPLINARY ACTION FOR
14 DECLINING TO ADDRESS A PERSON USING A NAME OTHER THAN THE PERSON'S
15 LEGAL NAME OR BY A PRONOUN OR TITLE THAT IS INCONSISTENT WITH THE
16 PERSON'S SEX OR FOR DECLINING TO IDENTIFY HIS OR HER PRONOUNS. AND
17 FOR RELATED PURPOSES.

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

19 SECTION 1. (1) This section shall be known and may be cited
20 as the "Free to Speak Law."

21 (2) As used in this section, the following terms shall have
22 the meaning herein ascribed:

23 (a) "Community college" means any community college or
24 junior college under the management and control of the Mississippi
25 Community College Board.

26 (b) "Employee" means an individual employed or
27 contracted by a public school, community college or university.

28 (c) "Female" means that term as defined in Section
29 1-3-83.

30 (d) "Male" means that term as defined in Section
31 1-3-83.

32 (e) "Public school" means public school districts,
33 agricultural high schools, the Mississippi School for the Deaf and
34 Blind, the Mississippi School of the Arts and the Mississippi
35 School for Mathematics and Science and public charter schools.

36 (f) "Sex" means that term as defined in Section 1-3-83.

40 (h) "Student" means an individual enrolled at a public
41 school, college or university on a full-time or part-time basis.

42 (3) An employee of a public school, community college or
43 university, regardless of the scope of his or her official duties:

44 (a) Shall not knowingly and intentionally address an
45 unemancipated minor student by a name other than the student's
46 legal name, or a derivative thereof, or by a pronoun or title that
47 is inconsistent with the student's sex without the written
48 permission of a student's parent or guardian; and

49 (b) Shall not be subject to adverse employment action;



50 (i) For declining to address a person using a name
51 other than the person's legal name, or a derivative thereof, or by
52 a pronoun or title that is inconsistent with the person's sex; or
53 (ii) For declining to identify his or her
54 pronouns.

55 (4) A student of a public school, community college or
56 university shall not be subject to any disciplinary action for
57 declining to:

62 (5) (a) Any person injured by a violation of this act shall
63 have a private cause of action against the public school,
64 community college or university for injunctive relief, nominal
65 damages, reasonable attorneys' fees and costs, and any other
66 appropriate relief.

67 (b) All civil actions brought pursuant to this section
68 must be initiated within two (2) years after the violation
69 occurred.

70 **SECTION 2.** This act shall take effect and be in force from
71 and after July 1, 2025.