
Wisconsin Legislative Council

AMENDMENT MEMO



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2023 Assembly Bill 553

**Assembly
Amendments 1 and 2**

2023 ASSEMBLY BILL 553

2023 Assembly Bill 553 establishes standards and requirements related to free speech and academic freedom at University of Wisconsin System (UWS) and Wisconsin Technical College System (WTCS) institutions. The bill generally prohibits UWS and WTCS institutions from restricting or regulating speech and expressive activity in public indoor and outdoor areas on campus, provided the speech or expression is lawful and protected by the First Amendment of the U.S. Constitution.

The bill also establishes due process guarantees for any student, employee, or organization involved in a disciplinary hearing at a UWS or WTCS institution. Under the bill, if a UWS or WTCS institution is found to have violated the bill's due process guarantees more than once in a 10-year period, that institution loses eligibility for the allocation of Wisconsin grants for a period of at least one fiscal year. Under the bill, the following entities are authorized to make a finding that an institution violated the due process guarantees provided by the bill:

- A state or federal court in Wisconsin.
- The Higher Educational Aids Board.
- Any standing committee of the Legislature having jurisdiction over matters relating to higher education.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 to 2023 Assembly Bill 553 extends the free speech and academic freedom standards and requirements established by the bill to virtual spaces. Under Assembly Amendment 1, "virtual space" means a forum utilizing electronic technology that satisfies all of the following:

- Enables participants who are not in each other's physical presence to communicate with each other simultaneously by sight and sound to conduct a meeting or gather, have a discussion, hold an event, or otherwise convey information and ideas with each other in real time.
- Is under the control or supervision of a UWS or WTCS institution or is being used for an institution-authorized purpose or activity.

The term "virtual space" does not include a virtual classroom while it is being used for instructional purposes.

Additionally, Assembly Amendment 1 removes the standing committees of the Legislature from the entities authorized to find that a violation of the bill's due process guarantees has occurred.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 to 2023 Assembly Bill 553 replaces the enforcement mechanism provided by the bill for due process guarantees. Under Assembly Amendment 2, if a UWS or WTCS institution is found¹ to have violated the due process guarantees established by the bill more than once in a five year period, that institution's tuition must be frozen for a period of two academic years.

BILL HISTORY

Representative Nedweski offered Assembly Amendment 1 on October 31, 2023 and Assembly Amendment 2 on November 1, 2023. On November 2, 2023, the Assembly Committee on Colleges and Universities recommended adoption of Assembly Amendment 1 on a vote of Ayes, 14; Noes, 0; and recommended adoption of Assembly Amendment 2 and passage of the bill, as amended, on votes of Ayes, 10; Noes, 4.

For a full history of the bill, visit the Legislature's [bill history page](#).

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¹ Unlike the bill, Assembly Amendment 2 does not authorize specific entities to make such a finding.