

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 885

Introduced by Davis, 43.

Read first time January 11, 2016

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to journalism; to define terms; to provide
- 2 student journalists the right to exercise freedom of speech and of
- 3 the press; and to provide exceptions.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) Postsecondary educational institution means the University of
3 Nebraska, a state college, or a community college;

4 (b) School-sponsored media means any material that is prepared,
5 substantially written, published, or broadcast by a student journalist at
6 a postsecondary educational institution, distributed or generally made
7 available to members of the student body, and prepared under the
8 direction of a student media adviser but does not include any media
9 intended for distribution or transmission solely in the classroom in
10 which the media is produced;

11 (c) Student journalist means a student at a postsecondary
12 educational institution who gathers, compiles, writes, edits,
13 photographs, records, or prepares information for dissemination in
14 school-sponsored media; and

15 (d) Student media adviser means an individual employed, appointed,
16 or designated by a postsecondary educational institution to supervise or
17 provide instruction relating to school-sponsored media.

18 (2)(a) Except as provided in subsection (3) of this section, a
19 student journalist has the right to exercise freedom of speech and of the
20 press in school-sponsored media, regardless of whether the media is
21 supported financially by the postsecondary educational institution or by
22 use of facilities of such institution or produced in conjunction with a
23 class in which the student is enrolled.

24 (b) Subject to subsection (3) of this section, a student journalist
25 is responsible for determining the news, opinion, feature, and
26 advertising content of school-sponsored media. This subsection may not be
27 construed to prevent a student media adviser from teaching professional
28 standards of English and journalism to student journalists.

29 (3) This section does not authorize or protect expression by a
30 student journalist that:

31 (a) Is libelous or slanderous;

- 1 (b) Constitutes an unwarranted invasion of privacy;
- 2 (c) Violates federal or state law; or
- 3 (d) So incites students as to create a clear and present danger of
- 4 the commission of an unlawful act, the violation of the policies of a
- 5 postsecondary educational institution, or the material and substantial
- 6 disruption of the orderly operation of such institution.