

State of Tennessee

PUBLIC CHAPTER NO. 831

SENATE BILL NO. 1741

By Rose, Crowe, Pody, Bailey, Bowling, Jackson, Johnson, Reeves, Seal

Substituted for: House Bill No. 1476

By Bulso, Powers, Crawford, Rudd, Sherrell, Hill, Lafferty, Reedy, Sparks, Moody, Lynn, Capley, Hale, Eldridge, McCalmon

AN ACT to amend Tennessee Code Annotated, Title 49, relative to public institutions of higher education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, is amended by adding the following as a new part:

49-7-3201. Short title.

This part is known and may be cited as the "Charlie Kirk Act."

49-7-3202. Policy on freedom of expression.

Notwithstanding another law to the contrary, each public institution of higher education shall adopt a policy on freedom of expression that is identical or substantially similar to the Report of the Committee on Freedom of Expression issued by the Committee on Freedom of Expression at the University of Chicago in 2015, and publish the adopted policy on the institution's website. The policy on freedom of expression must include the following passages from the Report of the Committee on Freedom of Expression:

> "The ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community."
>
> "The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. The University may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the University. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the University. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the University's commitment to a completely free and open discussion of ideas."
>
> "In a word, the University's fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the University community, not for the University as an institution, to make those

judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University's educational mission."

"As a corollary to the University's commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it."

49-7-3203. Policy on public institution of higher education's role in political and social action.

Notwithstanding another law to the contrary, each public institution of higher education shall adopt a policy on the institution's role in political and social action that is identical or substantially similar to the Report on the University's Role in Political and Social Action (Kalven Report) issued by the University of Chicago in 1967 and publish the adopted policy on the institution's website. The policy on the institution's role in political and social action must include the following passage from the Kalven Report:

"The instrument of dissent and criticism is the individual faculty member or the individual student. The university is the home and sponsor of critics; it is not itself the critic. It is, to go back once again to the classic phrase, a community of scholars. To perform its mission in the society, a university must sustain an extraordinary environment of freedom of inquiry and maintain an independence from political fashions, passions, and pressures. A university, if it is to be true to its faith in intellectual inquiry, must embrace, be hospitable to, and encourage the widest diversity of views within its own community. It is a community but only for the limited, albeit great, purposes of teaching and research. It is not a club, it is not a trade association, it is not a lobby."

"Since the university is a community only for these limited and distinctive purposes, it is a community which cannot take collective action on the issues of the day without endangering the conditions for its existence and effectiveness. There is no mechanism by which it can reach a collective position without inhibiting that full freedom of dissent on which it thrives. It cannot insist that all of its members favor a given view of social policy; if it takes collective action, therefore, it does so at the price of censuring any minority who do not agree with the view adopted. In brief, it is a community which cannot resort to majority vote to reach positions on public issues."

49-7-3204. Invited speakers.

Notwithstanding another law to the contrary, a public institution of higher education or a faculty member or agent of the institution shall not:

(1) Disinvite a speaker invited by a student organization or faculty member, or require a student organization or faculty member to disinvite a speaker, in response to threatened protests or opposition from students or faculty or because of the viewpoints expressed or espoused by the speaker; or

(2) Prohibit a student organization or faculty member from inviting a speaker to campus or restrict a student organization or faculty member in its choice of invited speakers.

49-7-3205. Academic freedom protected.

Notwithstanding another law to the contrary, a public institution of higher education or a faculty member or agent of the institution shall not retaliate in any way or discriminate in any manner against a faculty member on account of the viewpoints expressed in the faculty member's scholarly work, or on account of any speech or writing protected by the First Amendment of the United States Constitution.

49-7-3206. Freedom of religion and conscience protected.

(a) Notwithstanding another law to the contrary, a public institution of higher education or a faculty member or agent of the institution shall not discriminate or retaliate against a person on account of the person's:

(1) Sincere religious beliefs; or

(2) Position concerning abortion, homosexuality, or transgender behavior, regardless of whether that position is motivated by religious or non-religious beliefs.

(b) A public institution of higher education or faculty member or agent of the institution shall not deny recognition to any student group, or deny any employer access to on-campus student interviews, on account of the student group's or employer's:

(1) Sincere religious beliefs; or

(2) Position concerning abortion, homosexuality, or transgender behavior, regardless of whether that position is motivated by religious or non-religious belief.

SECTION 2. Tennessee Code Annotated, Section 49-7-2404, is amended by adding the following as a new subdivision:

(6) "Substantially obstruct or otherwise substantially interfere" includes, but is not limited to:

(A) Making noises with the intent of drowning out an invited speaker or hindering the audience from hearing the invited speaker;

(B) Standing in between an invited speaker and the audience with the intent of blocking or impeding an audience member's view of the speaker or the speaker's view of the audience members;

(C) Using signs or objects in a way to block or impede an audience member's view of an invited speaker or the speaker's view of the audience members;

(D) Staging walk-outs during an event or in the middle of an invited speaker's remarks that result in material and substantial disruption with the intent to cause a material and substantial disruption; and

(E) Physically obstructing an invited speaker or an audience member from entering or attending an event.

SECTION 3. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 4. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 5. For purposes of adopting policies, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2026, the public welfare requiring it.

SENATE BILL NO. 1741

PASSED: April 13, 2026

RANDY McNALLY
SPEAKER OF THE SENATE

CAMERON SEXTON, *SPEAKER*
HOUSE OF REPRESENTATIVES

APPROVED this 27th **day of** April **2026**

BILL LEE, *GOVERNOR*