

Opponent Testimony of SB419
For the Senate Education Committee
February 4, 2026
Jay Simmons

Chair Erickson and Members of the Committee,

Thank you for the opportunity to provide opponent testimony on Senate Bill 419.

While purporting to advance free speech and protect First Amendment rights on college campuses, this bill, if enacted, will yield the opposite result. More particularly, requiring annual reports to the legislature and public postings on college and university websites of any "barrier or incident" disrupting free speech invites attacks on college and university administrations, faculty, and student groups. Little imagination is required to understand that doxxing incidents and similar activities are likely to increase as a consequence of these postings. In turn, campuses will become less open to discussions about matters of common concern, public lectures will decrease, and the people of Kansas will be deprived of valuable resources that might advance the quality of shared discourse in this state.

The bill leaves open the meaning of the term, "ideological beliefs, values or mission." This omission will force post-secondary institutions to accept and extend budgetary and other benefits to groups advocating for white nationalism, antisemitism, and other ideologies that seek to limit free speech on campuses and elsewhere.

The bill refers to "sincerely held religious beliefs" as a justification for determining membership in campus groups and association. No calculus is provided for determining who holds sincere religious beliefs. The bill does not offer a definition of the phrase, leaving the meaning speculative and unclear. Moreover, no measures are suggested for preventing discrimination by persons holding "sincerely held religious beliefs" against persons with different beliefs.

In sum, SB419, if enacted, will limit freedom of expression on campuses in Kansas, endanger students, faculty, staff, and administrators, and increase opportunities for discrimination on religious grounds. Please end further consideration of this proposed legislation.

Sincerely,

Jay Simmons
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