

CONCURRENCE IN SENATE AMENDMENTS

AB 2551 (Elhawary)

As Amended July 2, 2026

Majority vote

SUMMARY

Original Committee of Reference: Health Committee

Requires health plans and health insurers to collect data and report on the number of enrollees and insureds seeking out-of-network behavioral health (BH) care. Expands existing licensing board reporting requirements to include whether a licensee and registrant contracts with a health plan or health insurer to provide services.

Senate Amendments

Current Committee Recommendation: Concur in Senate Amendments

Requires the California State University (CSU) and requests the University of California (UC) to do the following: (1) hold a public forum on selected campuses to elicit student feedback regarding the institution's time, place, and manner (TPM) policies; and, (2) provide data on student code of conduct violations that occurred during or as the result of a protest on campus.

Amendments taken in the Senate:

- 1) Strike the contents of the measure as it passed out of the Assembly.
- 2) Amend the annual reporting requirement for the CSU on specific student code of conduct violations to include all student code of conduct violations and the discipline imposed due to violations that occurred, during or as the result of a protest on campus. Requires the reported student code of conduct violations and the discipline imposed due to violations during or as the result of a protest to be disaggregated by race and gender.
- 3) Require the CSU and requests the UC, to do the following:
 - a) By December 31, 2027, hold an open forum on a selected campus to allow for student feedback on the content-neutral TPM policies. The forum will provide the space and time for students to express how they feel about the restrictions and the way the restrictions are enforced; and,
 - b) Notify the relevant policy committees of the Legislature of the time and location of the forum, as described above.
- 4) Repeals the requirement for an open forum to be conducted for feedback on the content-neutral TPM on January 1, 2028.

COMMENTS

SB 1287 (Glazer), Chapter 892, Statutes of 2024. As stated by then – Senator Glazer, the intention of SB 1287 was to “make sure that California universities are places where everyone can share their thoughts and ideas freely. We want to protect free speech and academic freedom

while also preventing any form of harassment or discrimination. The need has been highlighted by incidents of antisemitism that have resulted from the October 7th terrorist attack in Israel. By having the higher education institution's set clear rules and reporting systems, we're making sure that universities can maintain an environment where everyone feels respected and can learn without fear of intimidation, harassment, or violence."

In its final form, the measure:

- 1) Defined hostile environment and stated that both the CSU and the UC have the primary responsibility to address and prevent conduct that either creates a hostile environment or results in differential treatment of students based on a student's actual or perceived race, color, ethnicity, national origin, religion, or disability status;
- 2) Required the CSU and requested the UC, to adopt rules and procedures in the student code of conduct that:
 - a) Prohibit violent, harassing, intimidating, or discriminatory conduct that creates a hostile environment;
 - b) Prohibits conduct that limits a person's ability to participate in the educational programs or experiences offered by the campus; and,
 - c) Establish reasonable content-neutral TPM restrictions and if applicable any advance permitting requirements for protests on campus;
- 3) Required the CSU and requested the UC, to adopt rules and procedures to take reasonable steps to respond to any violations of the student code of conduct that create a hostile environment on campus;
- 4) Required the CSU and requested the UC, to publish the TPM on the campus's websites and to publish any advance permitting requirements for protests on campus;
- 5) Required the CSU and requested the UC, to develop mandatory training programs to educate students on the following:
 - a) What qualifies as conduct that results in a hostile environment on campus and the procedures that will ensue for violations of the student code of conduct;
 - b) When and where protests and gatherings may be held on campus; and,
 - c) How to exchange views in a manner that creates an atmosphere of mutual respect and civility.
- 6) Required the CSU and requested the UC, to mandate that all students acknowledge the campus's student code of conduct as a condition for enrollment; and,
- 7) Required the CSU and requested the UC, to submit an annual report to the Legislature on the implementation of the various requirements as listed above and to report on student code of conduct violations relating to hostile environments.

In their inaugural report, the CSU indicated they fully complied with the measure by (1) updating their TMP to outline how the university will respond to activities that violate the TPM or create a hostile environment on campus; (2) implementing a training program for all students beginning the 2025-2026 academic year; and (3) beginning in the 2025-2026 students will be required to acknowledge the student code of conduct via the student self-service portal.

In the 2024-2025 academic year, the CSU had 201 violations of student code of conduct related to acts of violence, harassment, intimidation, discrimination, or actions that would create a hostile environment or would limit a person's ability to participate in the programs and activities on campus.

As indicated in their 2026 report, the UC implemented the requirements of SB 1287 (Glazer). In the 2026 report, the UC indicated there were 53 violations of the student code of conduct that limited the ability for the free exchange of ideas; 14 disturbances of the peace or unlawful assembly; and four violations of the UC's antidiscrimination policy that constituted the creation of a hostile environment.

Committee staff note that the CCC system was not included in the provision and therefore, data is not available as to how the 116 community colleges are addressing discriminatory incidents on campus.

Concerns with the enforcement of TPM. In 2026, a "lunch and learn" was hosted at the State Capitol regarding TPM on CSU and UC campuses. Student panelists shared their stories as to how their rights were violated in the name of TPM while participating in peaceful demonstrations and sanctioned protests on campus. The sentiments of the panelist were that TPM policies were not being used by the institutions in a content-neutral manner and were being used to target students who engage in any form of protest. SB 1287 (Glazer) did not create TPM on postsecondary campuses; however, it did require campuses to re-examine TPM as a tool to help curb hostile environments on campus. TPM and TPM enforcement was to be content neutral and to allow for all ideas to be exchanged and not be used as a tool to censor nor target ideology, cultures, or religions.

As stated in the 2024 Assembly Committee on Higher Education's analysis for SB 1287 (Glazer):

Moving forward, the author may wish to include a requirement for the institutions to disclose the disciplinary sanction levied against the student to ensure the disciplinary action matches the severity of the student code of conduct violation.

The Committee may wish to examine if the behavioral restrictions of SB 1287 (Glazer) should only be applied to the most vulnerable population on campus who lack any additional forms of protections against accusations.

The measure addresses concerns raised by the student panelists and the comments published in this Committee's 2024 analysis by requiring the CSU to disclose the student code of conduct violations that occurred during or as the result of a protest, the disciplinary sanctions levied against the student due to the violations, and to disaggregate the data to ensure that specific groups of students are not being targeted or penalized unjustly. The measure further addresses the concerns and comments by allowing for an open forum to be conducted to allow for feedback on how the TMP enforcement is directly affecting students.

According to the Author

The author expounds on the need for the measure as “due to the unintended consequences of prior legislation, students are most directly affected by time, place, and manner (TPM) restrictions and their enforcement, yet their perspectives are often overlooked. Various pressing concerns have been raised about TPM implementation, including the arrest of peaceful protesters, the disciplinary actions against student advocates and organizers, and the disproportionate impact of enforcement on students and faculty of color. By establishing committees and requiring student hearings in the California State University system, AB 2551 creates meaningful opportunities for students to contribute their thoughts and experiences in informing campus policy that affects their rights, safety, and lives on campus. This bill also promotes transparency and accountability by requiring collection of demographic data on TPM conduct violations. Data collection and student feedback are essential to empowering students and ensuring the equitable and consistent application of TPM policies. AB 2551 includes a sunset date of January 1, 2028, providing an opportunity to evaluate the effectiveness of this approach.”

Arguments in Support

As stated by the California Faculty Association, “The state legislature adopted SB 1287 (Glazer - 2024) that, among other things, requires campuses to have TPM policies and budget language through SB 108 in 2024 that requires student notification of TPM policies and reporting to the state legislature. These bills have had unintended consequences on students and faculty and have unreasonably limited freedom of speech. These policies have led to students being disenrolled for nonviolent TPM and have impacted the number of protests on campus. The California legislature has an opportunity to send a strong message to college campuses and the broader community by taking steps to protect free speech on campuses. AB 2551 represents a good first step in assessing the impacts of recent TPM legislation and its impact on free speech.”

Arguments in Opposition

As stated by the California State University, Office of the Chancellor, “while the initial language in AB 2551 regarding the sunset of SB 1287 has now been removed, the CSU remains concerned that this bill will create uncertainty among our campus communities. The CSU has devoted substantial effort to reviewing and strengthening its policy governing time, place and manner of activities on campuses. These policies have provided clear, content-neutral expectations for conduct on campus, support the exercise of free expression rights, protect access to educational programs and services, and ensure the safety of students, employees and visitors. Universities have invested significant resources in policy development, training, communication and implementation to ensure these standards are understood and consistently applied. Each university maintains a time, place and manner team that routinely evaluates its campus policies and implementation. We share the author's interest in promoting transparency and accountability in the administration of campus policies governing expressive activity. However, we believe the existing framework provides opportunities for each campus community to share their perspectives, while maintaining a consistent application of the code of conduct and standards that should be adhered to in order to ensure an equitable opportunity for a safe learning environment.”

FISCAL COMMENTS

According to the Senate Committee on Appropriations:

- 1) The UC estimates one-time General Fund costs of about \$100,000 to develop and implement a case management system to collect demographic data regarding student code of conduct violations. There will likely be additional, ongoing vendor maintenance costs that are unknown at this time.
- 2) The CSU estimates ongoing General Fund costs of \$200,000 to \$300,000 to contract with a vendor for student conduct case management. Additionally, there would be one-time General Fund costs of \$75,000 to \$100,000 to hold the student forum.

VOTES

ASM HEALTH: 16-0-0

YES: Bonta, Chen, Addis, Aguiar-Curry, Ahrens, Caloza, Carrillo, Mark González, Johnson, Patel, Patterson, Rogers, Sanchez, Schiavo, Sharp-Collins, Stefani

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

ASSEMBLY FLOOR: 78-0-2

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Muratsuchi, Celeste Rodriguez

SENATE FLOOR: 23-12-5

YES: Archuleta, Arreguín, Ashby, Blakespear, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Laird, Limón, McGuire, McNerney, Menjivar, Pérez, Reyes, Richardson, Smallwood-Cuevas, Umberg, Wahab, Weber Pierson, Wiener

NO: Allen, Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Stern, Strickland, Valladares

ABS, ABST OR NV: Becker, Cabaldon, Hurtado, Padilla, Rubio

ASM HIGHER EDUCATION: 8-1-1

YES: Fong, Boerner, Jackson, Muratsuchi, Patel, Celeste Rodriguez, Sharp-Collins, Tangipa

NO: DeMaio

ABS, ABST OR NV: Jeff Gonzalez

UPDATED

VERSION: July 2, 2026

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