

1131

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DINOWITZ, GABRYSZAK, FIELDS, MILLMAN, GREENE, GALEF, JAFFEE -- Multi-Sponsored by -- M. of A. ALFANO, BURLING, CALHOUN, CLARK, DIAZ, ESPAILLAT, LANCMAN, LIFTON, MAYERSOHN, McENENY, McKEVITT, SWEENEY, TOWNS, TOWNSEND, WEISENBERG -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to authorizing the commissioner of education to restrict the sale and advertisement of alcoholic beverages at sporting events participated in by any state university of New York, city university of New York or community college

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings and intent. The legislature finds that
2 1,700 students lose their lives to alcohol each year, and 500,000 others
3 are injured. The legislature also finds that about 70,000 students are
4 victims of alcohol-related sexual assaults. Additionally, many New
5 Yorkers believe that sports play a significant role in youth development
6 and helps build good character in children, and it is not just young
7 people who play sports who benefit -- many New Yorkers say that children
8 who simply watch or attend sporting events learn important values. More-
9 over, many adults say that there are real and measurable consequences
10 associated with alcohol advertising during sports that negatively affect
11 teenagers and other viewers. Further, New Yorkers are very concerned
12 about underage and binge drinking on our state's campuses. They think it
13 is wrong for universities and colleges to make money from alcohol adver-
14 tising on college sports while they are trying to reduce underage and
15 binge drinking on their campuses. New Yorkers further think that alcohol
16 advertising at college sporting events is inconsistent with the mission
17 of higher education. Many parents and other adults reject higher
18 education's acceptance of alcohol advertising and support breaking the

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 tie between college sports and alcohol ads. Many New Yorkers strongly
2 support an outright ban on all alcohol advertising during college sports
3 broadcasts. For these reasons, the legislature supports the passage of
4 this act limiting the presence of alcohol at college and university
5 sporting events.

6 S 2. The education law is amended by adding a new section 319 to read
7 as follows:

8 S 319. PROHIBITION AGAINST THE SALE AND ADVERTISEMENT OF ALCOHOL. 1.
9 THE BOARD OF TRUSTEES OF THE STATE UNIVERSITY OF NEW YORK AND THE TRUS-
10 TEES OF THE CITY UNIVERSITY OF NEW YORK ARE AUTHORIZED TO PROMULGATE
11 RULES, REGULATIONS, OR POLICIES PROHIBITING ANY STATE UNIVERSITY OF NEW
12 YORK OR CITY UNIVERSITY OF NEW YORK RESPECTIVELY, INCLUDING ALL THEIR
13 CONSTITUENT UNITS INCLUDING COMMUNITY COLLEGES, WHICH ARE RECEIVING
14 FUNDING OR FINANCIAL ASSISTANCE FROM THIS STATE, FROM:

15 (A) ALLOWING THE ADVERTISEMENT OF ALCOHOLIC BEVERAGES OF ANY KIND IN
16 ASSOCIATION WITH ANY SPORTING EVENT; THIS PROHIBITION SHALL INCLUDE, BUT
17 NOT BE LIMITED TO, SIGNAGE, PRINT, RADIO AND TELEVISION ADVERTISING;

18 (B) ALLOWING SPONSORSHIP OF ANY ATHLETIC TEAMS BY ANY ENTITY THAT
19 MANUFACTURES ALCOHOLIC BEVERAGES; AND

20 (C) ALLOWING THE SALE OF ANY ALCOHOLIC BEVERAGES AT A SPORTING EVENT.

21 2. FOR THE PURPOSES OF THIS SECTION, THE TERM "SPORTING EVENT" SHALL
22 MEAN ANY EVENT INCLUDING ATHLETES, CONDUCTED IN A FIELD OF PLAY OF SUCH
23 EVENT, INCLUDING, BUT NOT LIMITED TO, TENNIS, BOXING, WRESTLING, BASE-
24 BALL, BASKETBALL, FOOTBALL, HOCKEY, SOCCER OR VOLLEYBALL THAT IS HELD ON
25 A STATE UNIVERSITY OF NEW YORK OR CITY UNIVERSITY OF NEW YORK CAMPUS.

26 S 3. This act shall take effect on the sixtieth day after it shall
27 have become a law; provided, however, that effective immediately, the
28 addition, amendment and/or repeal of any rule or regulation necessary
29 for the implementation of this act on its effective date are authorized
30 and directed to be made and completed on or before such effective date.