

3609

2009-2010 Regular Sessions

I N   S E N A T E

March 25, 2009

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Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on 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  
19    tie between college sports and alcohol ads. Many New Yorkers strongly  
20    support an outright ban on all alcohol advertising during college sports  
21    broadcasts. For these reasons, the legislature supports the passage of

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

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1 this act limiting the presence of alcohol at college and university  
2 sporting events.

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

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

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

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

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

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

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