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2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. MILLMAN -- Multi-Sponsored by -- M. of A. ABBATE, BENJAMIN, BRENNAN, CAHILL, CAMARA, CANESTRARI, CLARK, COOK, DINOWITZ, ENGLEBRIGHT, ESPAILLAT, FIELDS, GABRYSZAK, GALEF, GOTTFRIED, GREENE, HOOPER, HYER-SPENCER, JACOBS, JAFFEE, JEFFRIES, JOHN, KOON, V. LOPEZ, LUPARDO, MAISEL, MARKEY, MAYERSOHN, MCENENY, ORTIZ, PERALTA, PHEFFER, POWELL, REILLY, ROBINSON, ROSENTHAL, SCARBOROUGH, SPANO, SWEENEY, TITONE, WEISENBERG, WRIGHT, ZEBROWSKI -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to enacting the "New York higher education cares act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "New York higher education cares act".
3 S 2. The education law is amended by adding a new section 239-a to
4 read as follows:
5 S 239-A. COLLECTION AND DISTRIBUTION OF STUDENT'S RESIDUAL CONSUMER
6 GOODS. 1. FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE
7 THE FOLLOWING MEANINGS:
8 A. "CONSUMER GOODS" SHALL MEAN GOODS THAT ARE USED OR BOUGHT FOR USE
9 PRIMARILY FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES INCLUDING, BUT NOT
10 LIMITED TO, HOME FURNISHINGS, CANNED AND NON-PERISHABLE FOODS, FACTORY-
11 SEALED AND/OR ORIGINALLY-PACKAGED TOILETRIES, CLOTHING, COOKWARE, AND
12 ELECTRONICS.
13 B. "UNIVERSITY" AND "COLLEGE" SHALL HAVE THE SAME MEANING AS SET FORTH
14 IN SECTION TWO OF THIS TITLE.
15 C. "CITY UNIVERSITY" SHALL HAVE THE SAME MEANING AS SET FORTH IN
16 SECTION SIXTY-TWO HUNDRED TWO OF THIS CHAPTER.
17 2. THE ADMINISTRATION OF THE INDIVIDUAL STATE AND CITY UNIVERSITIES
18 AND COLLEGES AND EVERY PUBLIC OR PRIVATE COLLEGE, COMMUNITY COLLEGE OR

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

LBD01564-01-9

1 UNIVERSITY WITHIN THE STATE, ARE HEREBY AUTHORIZED TO FACILITATE A
2 CAMPUS-WIDE CHARITABLE DONATION PROGRAM FOR LOCAL AREA NOT-FOR-PROFIT
3 ORGANIZATIONS UTILIZING STUDENTS' RESIDUAL CONSUMER GOODS. THE ADMINIS-
4 TRATION:
5 A. SHALL DESIGNATE A COLLECTION AREA FOR STUDENTS TO DROP-OFF THEIR
6 UNUSED OR SURPLUS GOODS TWO WEEKS BEFORE THE END OF THE SCHOOL YEAR;
7 B. SHALL EITHER DEVELOP A DIRECT DONATION PROGRAM OF THE RESIDUAL
8 CONSUMER GOODS OR ORGANIZE A CHARITABLE EVENT TO COLLECT RESIDUAL
9 CONSUMER GOODS AND DONATE SUCH GOODS TO LOCAL NOT-FOR-PROFIT ORGANIZA-
10 TIONS; AND
11 C. MAY INVOLVE STUDENT ORGANIZATIONS FOR THE IMPLEMENTATION OF THE
12 PROGRAM.
13 3. THE CONSUMER GOODS COLLECTED:
14 A. SHALL BE FROM THOSE COLLEGE STUDENTS RESIDING IN CAMPUS-RELATED
15 RESIDENTIAL FACILITIES;
16 B. SHALL BE CONSUMER GOODS THAT WOULD BE DISCARDED AT THE END OF THE
17 SCHOOL YEAR BY COLLEGE STUDENTS;
18 C. SHALL BE IN USEABLE AND GOOD WORKING CONDITION.
19 4. IN THE EVENT THAT THERE IS NO VIABLE LOCAL NOT-FOR-PROFIT ORGANIZA-
20 TION ABLE TO ACCEPT THE RESIDENTIAL CONSUMER GOODS COLLECTED, THE ADMIN-
21 ISTRATION OF THE INDIVIDUAL STATE OR CITY UNIVERSITY OR COLLEGE OR
22 PUBLIC OR PRIVATE COLLEGE, COMMUNITY COLLEGE OR UNIVERSITY WITHIN THE
23 STATE MAY ORGANIZE A CAMPUS-WIDE SALE OF SUCH GOODS. THE PROFITS OF SUCH
24 SALE MAY BE DEDICATED BY THE STUDENT ORGANIZATIONS OR BY THE INDIVIDUAL
25 STATE OR CITY UNIVERSITY OR COLLEGE OR PUBLIC OR PRIVATE COLLEGE, COMMU-
26 NITY COLLEGE OR UNIVERSITY FACILITATING THE PROGRAM TO A LOCAL NOT-FOR-
27 PROFIT ORGANIZATION.
28 5. THE ADMINISTRATION OF ANY INDIVIDUAL STATE OR CITY UNIVERSITY OR
29 COLLEGE OR PUBLIC OR PRIVATE COLLEGE, COMMUNITY COLLEGE OR UNIVERSITY
30 MAY GRANT CREDIT TO STUDENT MEMBERS OF ORGANIZATIONS INVOLVED WITH THE
31 PROGRAM, PURSUANT TO SUBDIVISION TWO OF THIS SECTION, IN THE AMOUNT AND
32 FORM THAT SUCH ADMINISTRATION DEEMS APPROPRIATE.
33 S 3. This act shall take effect immediately.