

2883--A

Cal. No. 700

2013-2014 Regular Sessions

I N   S E N A T E

January 24, 2013

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Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged and said bill committed to the Committee on Higher Education -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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

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

LBD01185-02-4

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

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

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

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

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

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

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

28 3. THIS SECTION SHALL NOT APPLY TO THE SALE OF ALCOHOL AT SPORTING  
29 EVENTS IN SPACES RESERVED FOR ALUMNI OR OTHER NON-STUDENT GROUPS WHICH  
30 MAY SERVE PHILANTHROPIC AIMS, NOR SHALL IT PROHIBIT THE ADVERTISEMENT OF  
31 ALCOHOLIC BEVERAGES AT TOURNAMENTS IN WHICH SPORTING EVENTS ARE HELD ON  
32 A STATE UNIVERSITY OF NEW YORK OR CITY UNIVERSITY OF NEW YORK CAMPUS.

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