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2015-2016 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2015
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Introduced by M. of A. DINOWITZ, GOTTFRIED, PAULIN, SCHIMEL -- Multi-
  Sponsored by -- M. of A. GIGLIO, JAFFEE -- 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 ASSEM-
BLY, 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

 1 broadcasts. For these reasons, the legislature supports the passage of
 2 this act limiting the presence of alcohol at college and university
 3 sporting events.
 4   S 2. The education law is amended by adding a new section 319 to read
 5 as follows:
 6   S 319. PROHIBITION AGAINST THE SALE AND ADVERTISEMENT OF ALCOHOL. 1.
 7 THE BOARD OF TRUSTEES OF THE STATE UNIVERSITY OF NEW YORK AND THE TRUS-
 8 TEES OF THE CITY UNIVERSITY OF NEW YORK ARE AUTHORIZED TO PROMULGATE
 9 RULES, REGULATIONS, OR POLICIES PROHIBITING ANY STATE UNIVERSITY OF NEW
10 YORK OR CITY UNIVERSITY OF NEW YORK RESPECTIVELY, INCLUDING ALL THEIR
11 CONSTITUENT UNITS INCLUDING COMMUNITY COLLEGES, WHICH ARE RECEIVING
12 FUNDING OR FINANCIAL ASSISTANCE FROM THIS STATE, FROM:
13   (A) ALLOWING THE ADVERTISEMENT OF ALCOHOLIC BEVERAGES OF ANY KIND IN
14 ASSOCIATION WITH ANY SPORTING EVENT; THIS PROHIBITION SHALL INCLUDE, BUT
15 NOT BE LIMITED TO, SIGNAGE, PRINT, RADIO AND TELEVISION ADVERTISING;
16   (B) ALLOWING SPONSORSHIP OF ANY ATHLETIC TEAMS BY ANY ENTITY THAT
17 MANUFACTURES ALCOHOLIC BEVERAGES; AND
18   (C) ALLOWING THE SALE OF ANY ALCOHOLIC BEVERAGES AT A SPORTING EVENT.
19   2. FOR THE PURPOSES OF THIS SECTION, THE TERM "SPORTING EVENT" SHALL
20 MEAN ANY EVENT INCLUDING ATHLETES, CONDUCTED IN A FIELD OF PLAY OF SUCH
21 EVENT, INCLUDING, BUT NOT LIMITED TO, TENNIS, BOXING, WRESTLING, BASE-
22 BALL, BASKETBALL, FOOTBALL, HOCKEY, SOCCER OR VOLLEYBALL THAT IS HELD ON
23 A STATE UNIVERSITY OF NEW YORK OR CITY UNIVERSITY OF NEW YORK CAMPUS.
24   S 3. This act shall take effect on the sixtieth day after it shall
25 have become a law; provided, however, that effective immediately, the
26 addition, amendment and/or repeal of any rule or regulation necessary
27 for the implementation of this act on its effective date are authorized
28 and directed to be made and completed on or before such effective date.