

2493

2017-2018 Regular Sessions

I N S E N A T E

January 13, 2017

Introduced by Sen. PHILLIPS -- 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 certain student organizations which are ineligible for funding

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

1 Section 1. Section 355 of the education law is amended by adding a new
2 subdivision 20 to read as follows:

3 20. INELIGIBILITY FOR FUNDING; STUDENT ORGANIZATIONS. A. THE STATE
4 UNIVERSITY TRUSTEES SHALL ADOPT RULES THAT ANY STUDENT GROUP OR STUDENT
5 ORGANIZATION THAT RECEIVES FUNDING FROM THE STATE UNIVERSITY OF NEW YORK
6 THAT DIRECTLY OR INDIRECTLY PROMOTES, ENCOURAGES, OR PERMITS DISCRIMI-
7 NATION, INTOLERANCE, HATE SPEECH OR BOYCOTTS AGAINST A PERSON OR GROUP
8 BASED ON RACE, CLASS, GENDER, NATIONALITY, ETHNIC ORIGIN OR RELIGION,
9 SHALL BE INELIGIBLE FOR FUNDING, INCLUDING FUNDING FROM STUDENT ACTIVITY
10 FEE PROCEEDS.

11 B. AS USED IN THIS SUBDIVISION, THE FOLLOWING DEFINITIONS SHALL APPLY:

12 (1) "ALLIED NATION" SHALL MEAN:

13 (I) ANY COUNTRY THAT IS A MEMBER OF THE NORTH ATLANTIC TREATY ORGAN-
14 IZATION;

15 (II) ANY COUNTRY THAT IS A SIGNATORY OF THE SOUTHEAST ASIA TREATY OF
16 1954;

17 (III) ANY COUNTRY, OTHER THAN VENEZUELA, THAT IS A SIGNATORY OF THE
18 RIO TREATY OF 1947;

19 (IV) IRELAND;

20 (V) ISRAEL;

21 (VI) JAPAN; AND/OR

22 (VII) THE REPUBLIC OF KOREA.

23 (2) "BOYCOTT" SHALL MEAN TO ENGAGE IN ANY ACTIVITY, OR TO PROMOTE OR
24 ENCOURAGE OTHERS TO ENGAGE IN ANY ACTIVITY, THAT WILL RESULT IN ANY
25 PERSON ABSTAINING FROM COMMERCIAL, SOCIAL OR POLITICAL RELATIONS, WITH

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

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1 ANY ALLIED NATION, OR COMPANIES BASED IN AN ALLIED NATION OR IN TERRITO-
2 RIES CONTROLLED BY AN ALLIED NATION, WITH THE INTENT TO PENALIZE,
3 INFLECT, OR CAUSE HARM TO, OR OTHERWISE PROMOTE OR CAST DISREPUTE UPON,
4 SUCH ALLIED NATION, ITS PEOPLE OR ITS COMMERCIAL PRODUCTS.

5 (3) "PERSON" SHALL MEAN ANY NATURAL PERSON, CORPORATION, LIMITED
6 LIABILITY COMPANY, UNINCORPORATED ASSOCIATION OR ANY OTHER NONGOVERN-
7 MENTAL ENTITY, ORGANIZATION, OR GROUP, OR ANY SUCCESSOR, SUBUNIT,
8 PARENT, OR SUBSIDIARY OF THE SAME.

9 S 2. Section 6206 of the education law is amended by adding a new
10 subdivision 19 to read as follows:

11 19. A. THE CITY UNIVERSITY TRUSTEES SHALL ADOPT RULES THAT ANY STUDENT
12 GROUP OR STUDENT ORGANIZATION THAT RECEIVES FUNDING FROM A CITY UNIVER-
13 SITY OF NEW YORK THAT DIRECTLY OR INDIRECTLY PROMOTES, ENCOURAGES, OR
14 PERMITS DISCRIMINATION, INTOLERANCE, HATE SPEECH OR BOYCOTTS AGAINST A
15 PERSON OR GROUP BASED ON RACE, CLASS, GENDER, NATIONALITY, ETHNIC ORIGIN
16 OR RELIGION, SHALL BE INELIGIBLE FOR FUNDING, INCLUDING FUNDING FROM
17 STUDENT ACTIVITY FEE PROCEEDS.

18 B. AS USED IN THIS SUBDIVISION, THE FOLLOWING DEFINITIONS SHALL APPLY:

19 (I) "ALLIED NATION" SHALL MEAN:

20 (1) ANY COUNTRY THAT IS A MEMBER OF THE NORTH ATLANTIC TREATY ORGAN-
21 IZATION;

22 (2) ANY COUNTRY THAT IS A SIGNATORY OF THE SOUTHEAST ASIA TREATY OF
23 1954;

24 (3) ANY COUNTRY, OTHER THAN VENEZUELA, THAT IS A SIGNATORY OF THE RIO
25 TREATY OF 1947;

26 (4) IRELAND;

27 (5) ISRAEL;

28 (6) JAPAN; AND/OR

29 (7) THE REPUBLIC OF KOREA.

30 (II) "BOYCOTT" SHALL MEAN TO ENGAGE IN ANY ACTIVITY, OR TO PROMOTE OR
31 ENCOURAGE OTHERS TO ENGAGE IN ANY ACTIVITY, THAT WILL RESULT IN ANY
32 PERSON ABSTAINING FROM COMMERCIAL, SOCIAL OR POLITICAL RELATIONS, WITH
33 ANY ALLIED NATION, OR COMPANIES BASED IN AN ALLIED NATION OR IN TERRITO-
34 RIES CONTROLLED BY AN ALLIED NATION, WITH THE INTENT TO PENALIZE,
35 INFLECT, OR CAUSE HARM TO, OR OTHERWISE PROMOTE OR CAST DISREPUTE UPON,
36 SUCH ALLIED NATION, ITS PEOPLE OR ITS COMMERCIAL PRODUCTS.

37 (III) "PERSON" SHALL MEAN ANY NATURAL PERSON, CORPORATION, LIMITED
38 LIABILITY COMPANY, UNINCORPORATED ASSOCIATION OR ANY OTHER NONGOVERN-
39 MENTAL ENTITY, ORGANIZATION, OR GROUP, OR ANY SUCCESSOR, SUBUNIT,
40 PARENT, OR SUBSIDIARY OF THE SAME.

41 S 3. Section 6306 of the education law is amended by adding a new
42 subdivision 11 to read as follows:

43 11. A. THE BOARD OF TRUSTEES OF EACH COMMUNITY COLLEGE SHALL ADOPT
44 RULES THAT ANY STUDENT GROUP OR STUDENT ORGANIZATION THAT RECEIVES FUND-
45 ING FROM A COMMUNITY COLLEGE OF NEW YORK THAT DIRECTLY OR INDIRECTLY
46 PROMOTES, ENCOURAGES, OR PERMITS DISCRIMINATION, INTOLERANCE, HATE
47 SPEECH OR BOYCOTTS AGAINST A PERSON OR GROUP BASED ON RACE, CLASS,
48 GENDER, NATIONALITY, ETHNIC ORIGIN OR RELIGION, SHALL BE INELIGIBLE FOR
49 FUNDING, INCLUDING FUNDING FROM STUDENT ACTIVITY FEE PROCEEDS.

50 B. AS USED IN THIS SUBDIVISION, THE FOLLOWING DEFINITIONS SHALL APPLY:

51 (I) "ALLIED NATION" SHALL MEAN:

52 (1) ANY COUNTRY THAT IS A MEMBER OF THE NORTH ATLANTIC TREATY ORGAN-
53 IZATION;

54 (2) ANY COUNTRY THAT IS A SIGNATORY OF THE SOUTHEAST ASIA TREATY OF
55 1954;

1 (3) ANY COUNTRY, OTHER THAN VENEZUELA, THAT IS A SIGNATORY OF THE RIO
2 TREATY OF 1947;
3 (4) IRELAND;
4 (5) ISRAEL;
5 (6) JAPAN; AND/OR
6 (7) THE REPUBLIC OF KOREA.
7 (II) "BOYCOTT" SHALL MEAN TO ENGAGE IN ANY ACTIVITY, OR TO PROMOTE OR
8 ENCOURAGE OTHERS TO ENGAGE IN ANY ACTIVITY, THAT WILL RESULT IN ANY
9 PERSON ABSTAINING FROM COMMERCIAL, SOCIAL OR POLITICAL RELATIONS, WITH
10 ANY ALLIED NATION, OR COMPANIES BASED IN AN ALLIED NATION OR IN TERRITO-
11 RIES CONTROLLED BY AN ALLIED NATION, WITH THE INTENT TO PENALIZE,
12 INFLICT, OR CAUSE HARM TO, OR OTHERWISE PROMOTE OR CAST DISREPUTE UPON,
13 SUCH ALLIED NATION, ITS PEOPLE OR ITS COMMERCIAL PRODUCTS.
14 (III) "PERSON" SHALL MEAN ANY NATURAL PERSON, CORPORATION, LIMITED
15 LIABILITY COMPANY, UNINCORPORATED ASSOCIATION OR ANY OTHER NONGOVERN-
16 MENTAL ENTITY, ORGANIZATION, OR GROUP, OR ANY SUCCESSOR, SUBUNIT,
17 PARENT, OR SUBSIDIARY OF THE SAME.
18 S 4. This act shall take effect immediately.