

2493--A

2017-2018 Regular Sessions

I N S E N A T E

January 13, 2017

Introduced by Sens. PHILLIPS, FELDER, KAMINSKY, MURPHY, RANZENHOFER -- 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, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

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1 (VII) THE REPUBLIC OF KOREA.

2 (2) "BOYCOTT" SHALL MEAN TO ENGAGE IN ANY ACTIVITY, OR TO PROMOTE OR
3 ENCOURAGE OTHERS TO ENGAGE IN ANY ACTIVITY, THAT WILL RESULT IN ANY
4 PERSON ABSTAINING FROM COMMERCIAL, SOCIAL OR POLITICAL RELATIONS, WITH
5 ANY ALLIED NATION, OR COMPANIES BASED IN AN ALLIED NATION OR IN TERRITO-
6 RIES CONTROLLED BY AN ALLIED NATION, WITH THE INTENT TO PENALIZE,
7 INFLECT, OR CAUSE HARM TO, OR OTHERWISE PROMOTE OR CAST DISREPUTE UPON,
8 SUCH ALLIED NATION, ITS PEOPLE OR ITS COMMERCIAL PRODUCTS.

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

13 S 2. Section 6206 of the education law is amended by adding a new
14 subdivision 20 to read as follows:

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

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

23 (I) "ALLIED NATION" SHALL MEAN:

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

26 (2) ANY COUNTRY THAT IS A SIGNATORY OF THE SOUTHEAST ASIA TREATY OF
27 1954;

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

30 (4) IRELAND;

31 (5) ISRAEL;

32 (6) JAPAN; AND/OR

33 (7) THE REPUBLIC OF KOREA.

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

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

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

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

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

55 (I) "ALLIED NATION" SHALL MEAN:

- 1 (1) ANY COUNTRY THAT IS A MEMBER OF THE NORTH ATLANTIC TREATY ORGAN-
2 IZATION;
- 3 (2) ANY COUNTRY THAT IS A SIGNATORY OF THE SOUTHEAST ASIA TREATY OF
4 1954;
- 5 (3) ANY COUNTRY, OTHER THAN VENEZUELA, THAT IS A SIGNATORY OF THE RIO
6 TREATY OF 1947;
- 7 (4) IRELAND;
- 8 (5) ISRAEL;
- 9 (6) JAPAN; AND/OR
- 10 (7) THE REPUBLIC OF KOREA.
- 11 (II) "BOYCOTT" SHALL MEAN TO ENGAGE IN ANY ACTIVITY, OR TO PROMOTE OR
12 ENCOURAGE OTHERS TO ENGAGE IN ANY ACTIVITY, THAT WILL RESULT IN ANY
13 PERSON ABSTAINING FROM COMMERCIAL, SOCIAL OR POLITICAL RELATIONS, WITH
14 ANY ALLIED NATION, OR COMPANIES BASED IN AN ALLIED NATION OR IN TERRITO-
15 RIES CONTROLLED BY AN ALLIED NATION, WITH THE INTENT TO PENALIZE,
16 INFLICT, OR CAUSE HARM TO, OR OTHERWISE PROMOTE OR CAST DISREPUTE UPON,
17 SUCH ALLIED NATION, ITS PEOPLE OR ITS COMMERCIAL PRODUCTS.
- 18 (III) "PERSON" SHALL MEAN ANY NATURAL PERSON, CORPORATION, LIMITED
19 LIABILITY COMPANY, UNINCORPORATED ASSOCIATION OR ANY OTHER NONGOVERN-
20 MENTAL ENTITY, ORGANIZATION, OR GROUP, OR ANY SUCCESSOR, SUBUNIT,
21 PARENT, OR SUBSIDIARY OF THE SAME.
- 22 S 4. This act shall take effect immediately.