STATE OF NEW YORK

5784

2019-2020 Regular Sessions

IN ASSEMBLY

February 19, 2019

Introduced by M. of A. MOSLEY -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to the use and sale of tobacco at state-operated institutions of the state university of New York

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Legislative intent. The legislature finds and declares that it shall be the policy of the state university of New York (SUNY) to ensure that all state-operated campuses embrace a tobacco-free environment. Tobacco use is the number one preventable cause of death in the United States and accounts for more annual deaths than suicide, murder, HIV/AIDS, alcohol use, illegal drug use and motor vehicle injuries combined. Using tobacco is a personal choice, a tobacco-free policy does not take away an individual's right to choose to use tobacco, it does limit where a person may use tobacco. SUNY respects an individual's right to choose to use tobacco off campus, in places where it is acceptable to do so. SUNY is first and foremost an educational institution.

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

20. The following are prohibited at state-operated institutions of the state university of New York:

a. the sale of tobacco on all grounds and facilities owned, leased or controlled by the state university or its related entities;

b. the use of tobacco by students on all grounds and facilities owned, leased or controlled by the state university or its related entities, including indoor and outdoor locations; and

c. the use of tobacco by students in vehicles owned, rented or leased by the state university or its affiliated entities. For purposes of this subdivision, the "affiliated entities" of the state-operated insti-

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

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tutions of the state university are the foundations, auxiliary services corporations, and alumni associations and subsidiaries thereof.

§ 3. This act shall take effect September 1, 2020.