STATE OF NEW YORK

5825

2019-2020 Regular Sessions

IN SENATE

May 15, 2019

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Higher 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:

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

20. Ineligibility for funding; student organizations. a. The state university trustees shall adopt rules that any student group or student organization that receives funding from the state university of New York that directly or indirectly promotes, encourages, or permits discrimination, intolerance, hate speech or boycotts against a person or group based on race, class, gender, nationality, ethnic origin or religion, shall be ineligible for funding, including funding from student activity fee proceeds.

b. As used in this subdivision, the following definitions shall apply:

(1) "Allied nation" shall mean:

(i) any country that is a member of the North Atlantic Treaty Organization;

(ii) any country that is a signatory of the Southeast Asia Treaty of 1954;

(iii) any country, other than Venezuela, that is a signatory of the Rio Treaty of 1947;

(iv) Ireland;

(v) Israel;

(vi) Japan; and/or

(vii) the Republic of Korea.

(2) "Boycott" shall mean to engage in any activity, or to promote or encourage others to engage in any activity, that will result in any 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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any allied nation, or companies based in an allied nation or in territories controlled by an allied nation, with the intent to penalize, inflict, or cause harm to, or otherwise promote or cast disrepute upon, such allied nation, its people or its commercial products.

(3) "Person" shall mean any natural person, corporation, limited liability company, unincorporated association or any other nongovernmental entity, organization, or group, or any successor, subunit, parent, or subsidiary of the same.

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

20. a. The city university trustees shall adopt rules that any student group or student organization that receives funding from a city university of New York that directly or indirectly promotes, encourages, or permits discrimination, intolerance, hate speech or boycotts against a person or group based on race, class, gender, nationality, ethnic origin or religion, shall be ineligible for funding, including funding from student activity fee proceeds.

b. As used in this subdivision, the following definitions shall apply:

(i) "Allied nation" shall mean:

(1) any country that is a member of the North Atlantic Treaty Organization;

(2) any country that is a signatory of the Southeast Asia Treaty of 1954;

(3) any country, other than Venezuela, that is a signatory of the Rio Treaty of 1947;

(4) Ireland;

(5) Israel;

(6) Japan; and/or

(7) the Republic of Korea.

(ii) "Boycott" shall mean to engage in any activity, or to promote or encourage others to engage in any activity, that will result in any person abstaining from commercial, social or political relations, with any allied nation, or companies based in an allied nation or in territories controlled by an allied nation, with the intent to penalize, inflict, or cause harm to, or otherwise promote or cast disrepute upon, such allied nation, its people or its commercial products.

(iii) "Person" shall mean any natural person, corporation, limited liability company, unincorporated association or any other nongovernmental entity, organization, or group, or any successor, subunit, parent, or subsidiary of the same.

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

11. a. The board of trustees of each community college shall adopt rules that any student group or student organization that receives funding from a community college of New York that directly or indirectly promotes, encourages, or permits discrimination, intolerance, hate speech or boycotts against a person or group based on race, class, gender, nationality, ethnic origin or religion, shall be ineligible for funding, including funding from student activity fee proceeds.

b. As used in this subdivision, the following definitions shall apply:

(i) "Allied nation" shall mean:

(1) any country that is a member of the North Atlantic Treaty Organization;

(2) any country that is a signatory of the Southeast Asia Treaty of 1954;

(3) any country, other than Venezuela, that is a signatory of the Rio Treaty of 1947;

(4) Ireland;

(5) Israel;

(6) Japan; and/or

(7) the Republic of Korea.

(ii) "Boycott" shall mean to engage in any activity, or to promote or encourage others to engage in any activity, that will result in any person abstaining from commercial, social or political relations, with any allied nation, or companies based in an allied nation or in territories controlled by an allied nation, with the intent to penalize, inflict, or cause harm to, or otherwise promote or cast disrepute upon, such allied nation, its people or its commercial products.

(iii) "Person" shall mean any natural person, corporation, limited liability company, unincorporated association or any other nongovernmental entity, organization, or group, or any successor, subunit, parent, or subsidiary of the same.

§ 4. This act shall take effect immediately.