

# 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:

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

11 20. 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 inflict, 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 § 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 § 4. This act shall take effect immediately.