

# STATE OF NEW YORK

8298--A

## IN SENATE

May 8, 2020

Introduced by Sens. BIAGGI, COMRIE, GOUNARDES, HOYLMAN, JACKSON, KRUEGER, LIU, METZGER, RIVERA, SEPULVEDA, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public buildings law, in relation to prohibiting the state of New York from selling or displaying symbols of hate; and to amend the agriculture and markets law, in relation to prohibiting symbols of hate from being sold or displayed by vendors on the fair grounds and directing the commissioner of agriculture and markets to oversee and ensure that all agricultural societies or institutes create and reasonably enforce policies and operational practices that prohibit vendors from selling or displaying in such society's or institute's fairs or expositions, symbols of hate or any similar image

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

1 Section 1. The public buildings law is amended by adding a new section  
2 146 to read as follows:

3 § 146. Prohibit symbols of hate. 1. The state of New York shall not  
4 sell or display any symbols of hate or any similar image, or tangible  
5 personal property, inscribed with such an image unless the image appears  
6 in a book, digital medium, or state museum that serves an educational  
7 or historical purpose.

8 2. For the purposes of this section, the term "symbols of hate" shall  
9 include, but not be limited to symbols of white supremacy, neo-Nazi  
10 ideology or the Battle Flag of the Confederacy.

11 § 2. The agriculture and markets law is amended by adding a new  
12 section 31-d to read as follows:

13 § 31-d. Prohibition of symbols of hate at the State Fair. 1. Symbols  
14 of hate or any similar image, or tangible personal property, inscribed  
15 with such an image, shall be prohibited from being sold or displayed by  
16 vendors on the fair grounds, unless the image appears in a book, digital  
17 medium, or otherwise serves an educational or historical purpose.

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

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1     2. For the purposes of this section, the term "symbols of hate" shall  
2 be defined in the same manner pursuant to section one hundred forty-six  
3 of the public buildings law. The term "fair grounds" shall be defined in  
4 the same manner pursuant to section thirty-one of this article.

5     § 3. Section 287 of the agriculture and markets law, as added by chap-  
6 ter 336 of the laws of 1928, is amended to read as follows:

7     § 287. Supervision of agricultural fairs and expositions. 1. The  
8 commissioner, after consultation with the dean of the State College of  
9 Agriculture at Cornell University, shall have power to establish and  
10 promulgate from time to time standards for the conduct of such fairs and  
11 expositions in respect to premium lists, exhibits, judging and other  
12 educational and agricultural activities. The commissioner shall oversee  
13 and ensure that all agricultural societies or institutes create and  
14 reasonably enforce policies and operational practices that prohibit  
15 vendors from selling or displaying in such society's or institute's  
16 fairs or expositions, symbols of hate or any similar image, or tangible  
17 personal property, inscribed with such an image unless the image appears  
18 in a book, digital medium, or otherwise serves an educational or histor-  
19 ical purpose. No disbursement shall be made to any agricultural society  
20 or to said institute if the last preceding fair or exposition of such  
21 society or said institute shall not have been of a standard worthy, in  
22 the opinion of the commissioner, of state aid, based upon its contrib-  
23 ution to the promotion of agriculture and domestic arts. No disburse-  
24 ment shall be made to any agricultural society or institute, of state  
25 aid, if in the opinion of the commissioner, the last preceding fair or  
26 exposition of such society or institute failed to create or reasonably  
27 enforce policies and operational practices prohibiting the sale or  
28 display of symbols of hate.

29     2. Definitions. For the purposes of this section, the term "symbols of  
30 hate" shall be defined in the same manner pursuant to section one  
31 hundred forty-six of the public buildings law.

32     § 4. This act shall take effect immediately; provided, however, that  
33 section three of this act shall take effect on the ninetieth day after  
34 it shall have become a law. Effective immediately, the addition, amend-  
35 ment and/or repeal of any rule or regulation necessary for the implemen-  
36 tation of this act on its effective date are authorized and directed to  
37 be made and completed on or before such effective date.