

STATE OF NEW YORK

384

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. KAPLAN, KAMINSKY -- read twice and ordered printed,
and when printed to be committed to the Committee on Higher Education

AN ACT to prohibit the use of state aid by colleges and universities for
certain academic institutions

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

1 Section 1. Legislative intent. The legislature hereby finds that it is
2 beneficial to students of this state to have access to an education that
3 is not bound by borders and to have the opportunity to obtain a global
4 education. The legislature further finds that it is important that New
5 York state undertake efforts to ensure that its students succeed in a
6 world that is continually becoming more interdependent and diverse and
7 further that students have access to international higher education
8 institutions. A global education allows students to connect, compete
9 and cooperate with their peers around the world. Therefore it is the
10 policy of the state that colleges not use state funds to support
11 boycotts of countries, or higher education institutions located in coun-
12 tries, that host higher education institutions chartered by the board of
13 regents of the university of the state of New York.

14 § 2. 1. For purposes of this section the following shall apply:

15 (a) the term "academic entity" shall mean any organization comprising
16 colleges, universities or professors that promotes or supports academia
17 in the United States and abroad.

18 (b) the term "college" shall have the same meaning as such term is
19 defined in subdivision 2 of section 2 of the education law.

20 (c) the term "host country" shall mean those countries that host a
21 higher education institution chartered by the board of regents of the
22 university of the state of New York.

23 2. No college in this state may use state aid provided directly to
24 such college to: fund an academic entity, provide funds for membership

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

LBD00479-01-1

1 in an academic entity or fund travel or lodging for any employee to
2 attend any meeting of such academic entity if such entity has issued a
3 public resolution or other official statement or undertaken an official
4 action boycotting a host country or higher education institutions
5 located in such country.

6 3. Notwithstanding any law to the contrary, no college shall be eligi-
7 ble for state aid during the academic year that such college is in
8 violation of subdivision two of this section.

9 4. The provisions of this section shall not apply to any college:

10 (a) when such college is located in a country that is determined by
11 the United States secretary of state to be a state sponsor of terrorism;

12 (b) when such boycott is connected with a labor dispute; or

13 (c) when such boycott is for the purpose of protesting unlawful
14 discriminatory practices as determined by the laws, rules or regulations
15 of this state.

16 5. Nothing in this section shall limit the attendance by any employee
17 of a college at any event of an academic entity that boycotts a host
18 country or higher education institutions located in such country and
19 attendance at meetings of any such entity shall not be used by the
20 college with regard to employment decisions.

21 § 3. This act shall take effect on the thirtieth day after it shall
22 have become a law.