STATE OF NEW YORK

883

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. BIAGGI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the agriculture and markets law, in relation to prohibiting symbols of hate on state owned property at the state fair; and to amend a chapter of the laws of 2020, amending the public buildings law and the agriculture and markets law relating to prohibiting the state of New York from selling or displaying symbols of hate, as proposed in legislative bills numbers S.8298-B and A.10729-A, in relation to making the provisions of such act severable

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

Section 1. Subdivision 51 of section 16 of the agriculture and markets law, as added by a chapter of the laws of 2020, amending the public buildings law and the agriculture and markets law relating to prohibiting the state of New York from selling or displaying symbols of hate, as proposed in legislative bills numbers S.8298-B and A.10729-A,is amended to read as follows:

51. [~~Take~~] And shall take any measures necessary to prohibit [~~the sale,~~] any person from attaching or affixing to state owned property on the grounds of the state fair [~~and any other fairs that receive government funding, of~~] any symbols of hate, as defined in section one hundred forty-six of the public buildings law, or any similar image, or tangible personal property, inscribed with such an image, unless the image appears in a book, digital medium, or otherwise serves an educational or historical purpose.

§ 2. Section 3 of a chapter of the laws of 2020, amending the public buildings law and the agriculture and markets law relating to prohibiting the state of New York from selling or displaying symbols of hate, as proposed in legislative bills numbers S.8298-B and A.10729-A, is renumbered section 4 and a new section 3 is added to read as follows:

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

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§ 3. If any provision of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision, and to this end the provisions of this act are declared to be severable.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2020, amending the public buildings law and the agriculture and markets law relating to prohibiting the state of New York from selling or displaying symbols of hate, as proposed in legislative bills numbers S.8298-B and A.10729-A, takes effect.