

# STATE OF NEW YORK

8832

## IN ASSEMBLY

January 18, 2024

Introduced by M. of A. BERGER -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to barring a person convicted of a hate crime from attending any state public school of higher education

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

1 Section 1. The education law is amended by adding a new section 6436-a  
2 to read as follows:

3 § 6436-a. Hate crime conviction. Any person who is convicted of a  
4 crime under section 485.05 of the penal law (hate crimes) by a court of  
5 competent jurisdiction shall be barred from attending any college or  
6 university of the University of the State of New York and the City  
7 University of New York, including each senior college and each community  
8 college. A person who is a current student at the time of such  
9 conviction shall be expelled from the institution he or she is attending  
10 immediately upon conviction. If the conviction is subsequently over-  
11 turned upon appeal, such person shall be reinstated to the institution  
12 he or she was expelled from in the standing he or she had prior to the  
13 conviction.

14 § 2. This act shall take effect immediately and shall apply to school  
15 years commencing on and after July 1, 2024.

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

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