STATE OF NEW YORK

4872--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 6, 2025

Introduced by M. of A. McMAHON, McDONOUGH, SIMON -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring each institution of higher education to make publicly available its policy on notifying the parent, guardian, or emergency contact of a student under twenty-one years old of certain controlled substance or alcohol violations

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

Section 1. Short title. This act shall be known and may be cited as "Beau's law".

§ 2. The education law is amended by adding a new section 6438-d to read as follows:

§ 6438-d. Notification of alcohol or controlled substance violations. 1. Every institution of higher education shall make publicly accessible its policy on notifying a parent, guardian, or emergency contact of a violation by a student under the age of twenty-one for the use or possession of alcohol or a controlled substance. Such violations may include but shall not be limited to, rule infractions, violations of federal, state, or local law, or controlled substance or alcohol related hospitalizations or overdoses.

2. All institutions of higher education shall conduct regular training on the provisions of the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99) related to health and safety emergencies and its impact on such institutions' response to student alcohol or controlled substance related hospitalizations or overdoses. These trainings shall be conducted for relevant administration and staff as identified by the institution. Such institutions may set the time intervals and parameters for such trainings.

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

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§ 3. This act shall take effect on the first of July next succeeding the date on which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.