



# ARIZONA HOUSE OF REPRESENTATIVES

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House: ED DPA 7-1-2-0

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## **HB 2759: student organizations; terrorism; withholding monies**

**Sponsor: Representative Hernandez A, LD 20**

**Caucus & COW**

### **Overview**

Prohibits a public university or community college (institution of higher education) from recognizing a student organization that supports a foreign terrorist organization (FTO) as specified.

### **History**

Federal law empowers the U.S. Secretary of State (U.S. SOS) with the authority to designate an organization as an FTO if the U.S. SOS finds that: 1) the organization is a foreign organization; 2) the organization engages in terrorist activity; and 3) the organization's terrorist activity or terrorism threatens the security of U.S. nationals or the national security ([8 U.S.C. § 1189](#)). The U.S. State Department maintains a list of designated FTOs ([U.S. State Department](#)).

Under state law, *terrorist organization* means any organization designated by the U.S. State Department as an FTO. Statute declares it is unlawful for a person to intentionally or knowingly commit specified acts of terrorism, including providing advice, assistance or direction in the conduct, financing or management of a terrorist organization (A.R.S. §§ [13-2301](#), [13-2308.01](#)).

### **Provisions**

1. Prohibits an institution of higher education from formally recognizing a student organization that:
  - a) provides material support to an FTO, including an FTO that calls for genocide against the Jewish people;
  - b) vocally supports, calls for or advocates for genocide, including genocide against the Jewish people;
  - c) promotes an FTO in any manner that places a Jewish student in reasonable apprehension of imminent physical injury; or
  - d) promotes an FTO on its social media accounts or communication platforms.
2. Requires an institution of higher education to enforce its code of conduct, including provisions regarding violent speech on campus.
3. Directs an institution of higher education to fully investigate the activities of any student organization that has been reported for a potential violation of:
  - a) federal laws regarding providing material support or resources to terrorists or designated FTOs; or
  - b) any state law relating to supporting an FTO.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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4. Instructs an institution of higher education to:
  - a) require the faculty advisor of each formally recognized student organization to report any potential violation of the specified federal or state laws; and
  - b) discipline a faculty advisor who knowingly violates the requirement to report any potential violation of the specified federal or state laws.
5. Mandates an institution of higher education rescind formal recognition of any student organization determined to have violated the specified federal or state laws.
6. Requires the State Treasurer to:
  - a) withhold state monies that an institution of higher education is entitled to receive pursuant to the community college operating state aid formula or the annual appropriation for public universities; and
  - b) return the withheld monies when the institution of higher education demonstrates its compliance with the prescribed requirements.
7. Defines *FTO* and *institution of higher education*.

### **Amendments**

#### *Committee on Education*

1. Adds that an institution of higher education may not formally recognize a student organization that engages in activities that manifest evidence of prejudice based on antisemitism.
2. Defines *antisemitism*.
3. Removes the requirement that the State Treasurer withhold state monies as specified from an institution of higher education that is not in compliance with the prescribed prohibitions and requirements.