



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR H.B. 2759

student organizations; terrorism; withholding monies

Purpose

Prohibits an institution of higher education from formally recognizing a student organization that supports or promotes a foreign terrorist organization (FTO). Requires each institution of higher education to rescind formal recognition of any student organization that violates specified federal laws or any state law relating to supporting an FTO.

Background

The U.S. Secretary of State (U.S. SOS) may 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, terrorism or retains the capability and intent to engage in terrorist activity or terrorism; and 3) the organization's terrorist activity or terrorism threatens the security of United States nationals or the national security of the United States. The U.S. Department of State provides a list of designated FTOs ([8 U.S.C. § 1189](#); [U.S. Department of State](#)).

A person who provides material support or resources, or conceals or disguises the nature, location, source or ownership of material support or resources, knowing or intending that they are to be used in preparation for, or in carrying out, a violation of specified federal laws is guilty of *providing material support to terrorists*. A person who knowingly provides material support or resources to an FTO, or attempts or conspires to do so, is guilty of *providing material support or resources to designated FTOs* (18 U.S.C. §§ [2339A](#) and [2339B](#)).

Statute determines that it is unlawful for a person to intentionally or knowingly commit an act of *terrorism*, including: 1) engaging in an act of terrorism; 2) soliciting, inciting or inducing others to promote or further an act of terrorism; and 3) providing advice, assistance or direction in the conduct, financing or management of an act of terrorism, including providing any person material support or resources or any other means of avoiding discovery, apprehension, prosecution or conviction ([A.R.S. § 13-2308.01](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

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;
 - d) promotes an FTO on the student organization's official social media accounts or communication platforms; or
 - e) engages in activities that manifest evidence of prejudice based on antisemitism.
2. Requires each institution of higher education to:
- a) enforce the institution of higher education's codes of conduct, including provisions regarding violent speech on campus;
 - b) fully investigate the activities of any student organization that has been reported for a potential violation of *providing material support to terrorists, providing material support or resources to designated FTOs* or any state law relating to supporting an FTO; and
 - c) rescind formal recognition of any student organization that the institution of higher education determines to have violated *providing material support to terrorists, providing material support or resources to designated FTOs* or any state law relating to supporting an FTO.
3. Directs each institution of higher education to:
- a) require each faculty advisor of a formally recognized student organization to report any violation of *providing material support to terrorists, providing material support or resources to designated FTOs* or any state law relating to support an FTO; and
 - b) discipline any faculty advisor who knowingly violates the reporting requirement.
4. Defines *antisemitism, FTO* and *institution of higher education*.
5. Becomes effective on the general effective date.

House Action

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3 rd Read	2/29/24		41-18-0-0-1

Prepared by Senate Research
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MH/slp