Student Assembly

Resolution 19: Supporting New York State Senate Bill S54A

Abstract: The Cornell Student Assembly voices support for New York State Senate Bill S54A, which "prohibits the use of intoxication of the victim as a defense in sex crimes" thereby closing an existing loophole in the New York State Penal Code. The Student Assembly supports adding this bipartisan bill to the advocacy agenda of SUNY Student Assembly and the Office of Student Government Relations. Additionally, the Cornell Student Assembly urges Representative Anna Kelles, PhD to support this bill in her work representing the 125th District.

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Type of Action: Sense-of-the-Body

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Current Status: Adopted by the Assembly, Unanimous Consent, 10/15/2026

Whereas, in layman's terms, a loophole currently exists in the New York State Penal Code by which voluntary intoxication on the part of the victim can be used as defense against criminal charges for sex crimes, such as rape;

Whereas, Heavy Episodic Drinking (HED) has been found to be an issue on college campuses common among undergraduate and underage students across demographic groups;[1]

Whereas, HED has been found to increase risk of rape in the population of American college-aged women, with 72% of victims surveyed reporting being raped while intoxicated;[2]

Whereas, New York State Senate Bill S24A "Prohibits the use of intoxication of the victim as a defense in sex crimes where the victim is under the extreme influence of any substance which renders them incapable of appraising or controlling such victim's conduct and incapable of clearly expressing lack of consent.";[3]

Whereas, on Apr 28, 2026, Senate Bill S24A passed the floor vote of the New York State Senate 58-0 and is currently pending in the State Assembly Codes Committee;

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[1] (Ranker & Lipson, 2022)
[2] (Mohler-Kuo et al., 2004)
[3] (S54A, 2025)

Whereas, the Cornell Student Assembly believes the contents of Senate Bill S24A are more topical in New York State and the Cornell community than ever and should therefore be passed into law by the New York State Assembly as soon as possible.

Be it therefore resolved, the Cornell Student Assembly shall include Senate Bill S24A in the work of its Office of Student Government Relations;

Be it further resolved, the Cornell Student Assembly calls upon the General Assembly of the SUNY Student Assembly to add Senate Bill S24A to its statewide policy advocacy;

Be it finally resolved, a copy of this Sense of the Body Resolution will be sent to the SUNY Student Assembly, the office of Assemblymember Dr. Anna Kelles, the office of Speaker of the New York State Assembly Carl Heastie, and the office of New York State Assembly Minority Leader Edward P. Ra.

Respectfully Submitted,

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