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SENATE BILL NO. 1284

Offered January 8, 2025

Prefiled January 8, 2025

A BILL to amend the Code of Virginia by adding a section numbered 23.1-400.1, relating to public institutions of higher education; presence of or material aid or support to terrorist activities, organizations, and states prohibited.

Patron—Stanley

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 23.1-400.1 as follows:

§ 23.1-400.1. **Terrorist organizations, activity, and sponsors of terrorism; presence on campus; material aid or support; prohibitions.**

A. As used in this section:

"Engage in terrorist activity" means, in an individual capacity or as a member of a terrorist organization, to:

1. Commit or incite to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity;

2. Prepare or plan a terrorist activity, including by gathering information on potential targets for a terrorist activity;

3. Unless the solicitor or actor can demonstrate by clear and convincing evidence that he did not know and should not reasonably have known that the organization was a terrorist organization, (i) solicit funds or other material support or resources for a terrorist activity or a terrorist organization or (ii) solicit any individual to engage in terrorist activity or for membership in a terrorist organization; or

4. Commit an act that the actor knows or reasonably should know affords material support or resources (i) for the commission of a terrorist activity; (ii) to any individual that has committed or plans to commit a terrorist activity, unless the actor can demonstrate by clear and convincing evidence that he did not know and should not reasonably have known that such individual committed or plans to commit a terrorist activity; or (iii) to a terrorist organization or any member of a terrorist organization, unless the actor can demonstrate by clear and convincing evidence that he did not know and should not reasonably have known that the organization was a terrorist organization.

"Material support or resources" includes any (i) property, tangible or intangible; (ii) thing of value, including currency, monetary instruments, financial securities, or any such other funds; (iii) services, including financial services, training, lodging, or expert advice or assistance; or (iv) any other equipment or services of value, including communications facilities, weapons, explosives, personnel, and transportation.

"Non-state sponsor of terrorism" means any entity that is not an internationally recognized government of a sovereign state, or any political subdivision thereof, that has repeatedly provided material support for or otherwise aids or abets terrorist organizations or terrorist activity, including (i) any foreign principal, including any foreign political party or partnership, organization, association, corporation, or other combination of persons organized under the laws of or having its principal place of business in a foreign country, or (ii) any agent of a foreign principal, including any person, except for any news or press service or association organized under the laws of the United States or any political subdivision thereof, who acts in a representative capacity for, at the order or request of, or under the direction or control of a foreign principal who directly or through another person engages within the United States in (a) political activities for or in the interest of such foreign principal or (b) activities relating to the solicitation or collection of material supports, funds, or other things of value for or in the interest of such foreign principal,

"State sponsor of terrorism" means a foreign country the government of which the U.S. Secretary of State has determined is a government that has repeatedly provided support for acts of international terrorism.

"Terrorist activity" means any activity that is unlawful under the laws of the Commonwealth, the United States, or any other state or political subdivision thereof that appears to be intended to (i) intimidate or coerce a civilian population, (ii) influence the policy of a government by intimidation or coercion, or (iii) affect the conduct of a government by mass destruction, assassination, or kidnapping and involves:

1. Any of the offenses or actions described in 8 U.S.C. § 1182(a)(3)(B)(iii); or

2. Any other act of violence set forth in clause (i) of subsection A of § 19.2-297.1.

"Terrorist organization" means an organization that is (i) designated by the U.S. Secretary of State as a foreign terrorist organization pursuant to 8 U.S.C. § 1189(a); (ii) otherwise designated, upon publication in the Federal Register, by the U.S. Secretary of State in consultation with or upon the request of the U.S.

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59 *Attorney General or U.S. the Secretary of Homeland Security as a terrorist organization, after finding that*
60 *the organization engages in terrorist activity; or (iii) a group of two or more individuals, whether organized*
61 *or not, that engages in, or has a subgroup that engages in, terrorist activities.*

62 *B. The following organizations and persons shall be prohibited from occupying, accessing, or otherwise*
63 *having a physical presence on any campus of a public institution of higher education or in any buildings or*
64 *facilities therein:*

65 *1. Any terrorist organization;*

66 *2. Any state or non-state sponsor of terrorism;*

67 *3. Any representative of a terrorist organization or any other political or religious organization or group*
68 *that endorses or espouses terrorist activity or is otherwise organized for the purpose of furthering the aims of*
69 *, materially supporting, or aiding or abetting terrorist activity or a terrorist organization; or*

70 *4. Any individual who, knowingly and with the intent to support, facilitate, further the aims of, or aid or*
71 *abet terrorist activity or a terrorist organization, solicits or attempts to solicit any individual to (i) engage in*
72 *terrorist activity, (ii) become a member of a terrorist organization, or (iii) provide funds or other material*
73 *support or resources to support, facilitate, or aid or abet terrorist activity or any terrorist organization.*

74 *C. No public institution of higher education shall (i) grant access to its campus or any facilities or*
75 *buildings therein, (ii) provide or facilitate the provision of any funds, financial contributions, or other*
76 *material support or resources, (iii) make or facilitate any donation of material support or resources, or (iv)*
77 *enter any contract providing for the exchange of services or material support or resources to any of the*
78 *organizations or persons described in subsection B.*

79 *D. Notwithstanding any provision of law to the contrary, the provisions of subdivision B 4 shall not apply*
80 *to any individual who can demonstrate by clear and convincing evidence that he either (i) lacked the intent to*
81 *support, facilitate, further the aims of, or aid or abet terrorist activity or a terrorist organization or (ii) did*
82 *not know, and should not reasonably have known, that such activity was a terrorist activity or that such*
83 *organization was a terrorist organization.*