

# STATE OF NEW YORK

---

26

2021-2022 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 6, 2021

---

Introduced by M. of A. GUNTHER, FAHY -- read once and referred to the  
Committee on Children and Families

AN ACT to amend the social services law, in relation to the fingerprint-  
ing of prospective employees of child day care centers

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

1 Section 1. Subdivision 9 of section 390-b of the social services law  
2 is amended by adding a new paragraph (c) to read as follows:

3 (c) Notwithstanding any other provision of law to the contrary, upon  
4 request from a prospective employee or volunteer who has been cleared by  
5 the commissioner of education pursuant to section three thousand thir-  
6 ty-five of the education law, the department of education shall be  
7 authorized to forward a copy of such individual's criminal history  
8 record and such individual's fingerprints to the commissioner of the  
9 office of children and family services for purposes of conducting a  
10 criminal history record check pursuant to this section. Furthermore,  
11 upon notification that such prospective employee has been cleared for  
12 employment by the commissioner of the office of children and family  
13 services pursuant to this section, the division of criminal justice  
14 services shall have the authority to provide subsequent criminal history  
15 notifications directly to such commissioner.

16 § 2. This act shall take effect immediately.

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

LBD02585-01-1