

STATE OF NEW YORK

4267

2025-2026 Regular Sessions

IN ASSEMBLY

January 31, 2025

Introduced by M. of A. JENSEN -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to destruction and sealing of certain court and police records and the issuance of an identity theft passport

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

1 Section 1. The criminal procedure law is amended by adding a new
2 section 160.65 to read as follows:

3 § 160.65 Expungement of false identity information from police and court
4 records; identity theft passport.

5 Any person whose name or other identification has been used without
6 their consent or authorization by another person who has been charged or
7 arrested using such name or identification may file a petition with the
8 court for relief pursuant to section 160.50 of this article. A person
9 who has petitioned the court to seal or destroy records pursuant to
10 section 160.50 of this article as a result of a violation relating to
11 identity theft under article one hundred ninety of the penal law against
12 such person may submit to the attorney general a certified copy of a
13 court order obtained pursuant to section 160.50 of this article. The
14 attorney general, in cooperation with the state police, may issue an
15 "identity theft passport" stating that such an order has been submitted
16 and may include the victim's photograph and a fingerprint record. The
17 attorney general may provide access to identity theft information to
18 criminal justice agencies and individuals who have submitted a court
19 order pursuant to this section. When the attorney general issues an
20 identity theft passport, it shall transmit a record of the issuance of
21 the passport to the department of motor vehicles. Such department shall
22 note on the individual's driver abstract that a court order was obtained
23 pursuant to section 160.50 of this article and that an identity theft
24 passport has been issued.

25 § 2. This act shall take effect immediately.

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

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