

STATE OF NEW YORK

8314--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 13, 2025

Introduced by M. of A. PAULIN, SAYEGH, REYES, BRABENEC -- read once and referred to the Committee on Health -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to requiring the department of health to enter into a contract for the digitalization and indexing of certain vital records

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

1 Section 1. The public health law is amended by adding a new section
2 4180 to read as follows:

3 § 4180. Vital records digitalization. 1. For the purposes of this
4 section, the term:

5 (a) "vital records index" or "index" shall mean a systematically
6 organized listing, compilation, or database derived from original vital
7 records maintained by the state local registrars, including but not
8 limited to vital records relating to birth, death, marriage, and dissol-
9 ution of marriage, which includes at a minimum, the names of any regis-
10 trants, the date and location of the event's registration, and any
11 assigned identifying reference numbers.

12 (b) "qualified entity" shall mean a natural person, firm, organiza-
13 tion, partnership, association, corporation, or any other entity experi-
14 enced in maintaining genealogical research databases.

15 2. The department shall enter into a contract which shall be no longer
16 than seven years in length with a qualified entity to create, maintain,
17 and update an online genealogical research database of images of New
18 York state birth, marriage, dissolution of marriage, and death certif-
19 icates at no direct cost to the state, in exchange for allowing the
20 qualified entity to also provide such database to its subscribers and
21 customers. Such online database shall be designed and constructed to
22 have the capability of allowing a vital records index of birth,

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

LBD11667-06-5

1 marriage, dissolution of marriage, and death certificates to be linked
2 to a digital image of the underlying original birth, marriage, dissol-
3 ution of marriage, or death record once any such underlying record has
4 become public information under section forty-one hundred seventy-four
5 of this title, and the online genealogical research database shall be
6 designed to allow the department to create and activate such links to
7 digital images of the original records. Any social security numbers
8 appearing on such records shall be redacted from the digital images
9 provided to the public, which may include bulk redaction of social secu-
10 rity fields from the images via automated methods. Such indexes shall be
11 a public record and subject to the state freedom of information law
12 under article six of the public officers law.

13 § 2. Subdivision 3 of section 4174 of the public health law, as
14 amended by section 2 of part W-2 of chapter 62 of the laws of 2003, is
15 amended to read as follows:

16 3. (a) Notwithstanding any contrary provision of law, the commissioner
17 shall have the authority to determine the means and methods by which the
18 following genealogical records shall be released to an applicant meeting
19 the qualifications to receive the relevant record type as described in
20 this section or in article three of the domestic relations law: (1) a
21 record of birth that has been on file for at least seventy-five years;
22 (2) a record of marriage, dissolution of marriage, or death that has
23 been on file for at least fifty years; or (3) any record of birth,
24 marriage, dissolution of marriage, or death for which the requester is a
25 lineal or collateral descendant.

26 (b) For any search of the files and records conducted for authorized
27 genealogical or research purposes, the commissioner or any person
28 authorized by ~~him~~ the commissioner shall be entitled to, and the
29 applicant shall pay, a fee of twenty dollars for each hour or fractional
30 part of an hour of time of search, together with a fee of two dollars
31 for each uncertified copy or abstract of such record requested by the
32 applicant or for a certification that a search discloses no record.

33 § 3. (a) Notwithstanding any law, rule, or regulation to the contrary,
34 all rights or benefits, including terms and conditions of employment,
35 and protection of civil service and collective bargaining status of all
36 existing employees of any state or political subdivision thereof which
37 currently performs any work related to this act, or similar work, shall
38 be preserved and protected.

39 (b) Nothing in this act shall result in the: (1) displacement of any
40 currently employed worker or loss of position, including but not limited
41 to any partial displacement such as a reduction in the hours of non-ov-
42 ertime work, wages, or employment benefits, or result in the impairment
43 of existing collective bargaining agreements; or (2) transfer of any
44 job, duty or function not directly authorized by this act to the quali-
45 fied entity.

46 (c) Nothing contained in this act shall be construed to affect: (1)
47 the existing rights of employees pursuant to an existing collective
48 bargaining agreement; and (2) the existing representational relation-
49 ships among employee organizations or the bargaining relationships
50 between the employer and an employee organization.

51 § 4. This act shall take effect immediately.