STATE OF NEW YORK

789

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. BRISPORT -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the family court act, in relation to findings in child abuse or neglect proceedings in family court

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

Section 1. The opening paragraph of subdivision (f) of section 1051 of the family court act, as added by chapter 430 of the laws of 1994, is amended to read as follows:

Prior to accepting an admission to an allegation or permitting a respondent to consent to a finding of neglect or abuse, the court shall inform the respondent that such an admission or consent will result in the court making a fact-finding order of neglect or abuse, as the case may be, and shall further inform the respondent **in substantially the following terms** of the potential consequences of such order, including but not limited to the following:

§ 2. Paragraph (iii) of subdivision (f) of section 1051 of the family court act, as amended by a chapter of the laws of 2024 amending the family court act relating to notices given to respondents in child abuse and neglect proceedings in family court, as proposed in legislative bills numbers S. 9745 and A. 7348, is amended to read as follows:

(iii) that any report made to the state central register of child abuse and maltreatment of allegations on which the court makes a finding of abuse or neglect will remain indicated in the register until ten years after the eighteenth birthday of the youngest child named in such report unless such finding is vacated or dismissed, and that:

(A) the respondent will be unable to amend such report in the state central register; **and**

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

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(B) [~~if the court finding is for neglect, it shall be legally sealed eight years after the report was made unless it is sealed earlier in an administrative proceeding; and~~

~~(C)~~] the existence of such report[~~, which is not legally sealed,~~] may be made known to employers [~~seeking~~] **required** to screen employee or volunteer applicants for positions where the individual has the potential for regular and substantial contact with children, and to child care agencies if the respondent applies to become a foster parent or adoptive parent **unless:**

(1) the court finding is for neglect and the report is eight or more years old; or

(2) the report was determined not to be relevant to positions involving contact with children in an earlier administrative proceeding.

§ 3. This act shall take shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the family court act relating to notices given to respondents in child abuse and neglect proceedings in family court, as proposed in legislative bills numbers S. 9745 and A. 7348, takes effect.