STATE OF NEW YORK

8755

IN SENATE

January 8, 2026

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

AN ACT to amend the public health law, in relation to foreign adoptions

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

Section 1. Subdivision 1 of section 4138-b of the public health law, as amended by a chapter of the laws of 2025 amending the public health law relating to foreign adoptions, as proposed in legislative bills numbers S. 3765 and A. 1944, is amended to read as follows:

1. Whenever the finalization of a foreign adoption or recognition of a foreign adoption of a person of any age pursuant to section one hundred eleven-c of the domestic relations law, or the adoption of a foreign-born person [~~over the age of eighteen~~] **of any age** at the time of adoption has been reported to the commissioner, the commissioner shall file a birth certificate for the adopted person provided there is no other birth certificate or other birth record on file other than in the country where such person was born and provided, further, that a certificate of birth data does not exist for that person. Such birth certificate shall be filed upon receipt of: proof that the adoptive parent was a resident of this state at the time of adoption or that the adoptee was lawfully adopted within the State of New York; if the adoptee was adopted in a foreign country or jurisdiction, a copy of the adoption documents of the jurisdiction or country in which the person was adopted; a certified translation of the foreign adoption documents, evidence of the date and place of the adopted person's birth; and evidence of IR-3, IR-4 or IH-3 immigrant visa status or a successor immigrant visa status. The birth certificate shall include the adopted person's name, sex, date of birth, time of birth, place of birth, mother's maiden name, and father's name. A birth certificate issued pursuant to this section which has been filed by a local registrar and all supporting documentation shall be submitted by the local registrar to the commissioner who shall file a new birth certificate pursuant to this section.

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

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§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2025 amending the public health law relating to foreign adoptions, as proposed in legislative bills numbers S. 3765 and A. 1944, takes effect.