

STATE OF NEW YORK

9899

IN SENATE

April 13, 2026

Introduced by Sen. ZELLNER -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the social services law, in relation to establishing the "child abuse reporting expansion act"

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

1 Section 1. This act shall be known and may be cited as the "child
2 abuse reporting expansion act".

3 § 2. Paragraph (a) of subdivision 1 of section 413 of the social
4 services law, as amended by chapter 733 of the laws of 2023, is
5 amended to read as follows:

6 (a) The following persons and officials are required to report or
7 cause a report to be made in accordance with this title when they have
8 reasonable cause to suspect that a child coming before them in their
9 professional or official capacity is an abused or maltreated child, or
10 when they have reasonable cause to suspect that a child is an abused or
11 maltreated child where the parent, guardian, custodian or other person
12 legally responsible for such child comes before them in their profes-
13 sional or official capacity and states from personal knowledge facts,
14 conditions or circumstances which, if correct, would render the child an
15 abused or maltreated child: any physician; registered physician assist-
16 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
17 osteopath; optometrist; chiropractor; podiatrist; resident; intern;
18 athletic trainer; psychologist; registered nurse; social worker; emer-
19 gency medical technician; licensed creative arts therapist; licensed
20 marriage and family therapist; licensed mental health counselor;
21 licensed psychoanalyst; licensed behavior analyst; certified behavior
22 analyst assistant; hospital personnel engaged in the admission, examina-
23 tion, care or treatment of persons; a Christian Science practitioner;
24 clergy member or other minister of any religion; school official, which
25 includes but is not limited to school teacher, school guidance counse-
26 lor, school psychologist, school social worker, school nurse, school
27 administrator or other school personnel required to hold a teaching or
28 administrative license or certificate; full or part-time compensated
29 school employee required to hold a temporary coaching license or profes-
30 sional coaching certificate; social services worker; employee of a publ-
31 icly-funded emergency shelter for families with children; director of a

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

LBD07412-03-6

1 children's overnight camp, summer day camp or traveling summer day camp,
2 as such camps are defined in section thirteen hundred ninety-two of the
3 public health law; day care center worker; school-age child care worker;
4 provider of family or group family day care; employee or volunteer in a
5 residential care facility for children that is licensed, certified or
6 operated by the office of children and family services; or any other
7 child care or foster care worker; mental health professional; substance
8 abuse counselor; alcoholism counselor; all persons credentialed by the
9 office of alcoholism and substance abuse services; employees, who are
10 expected to have regular and substantial contact with children, of a
11 health home or health home care management agency contracting with a
12 health home as designated by the department of health and authorized
13 under section three hundred sixty-five-1 of this chapter or such employ-
14 ees who provide home and community based services under a demonstration
15 program pursuant to section eleven hundred fifteen of the federal social
16 security act who are expected to have regular and substantial contact
17 with children; peace officer; police officer; district attorney or
18 assistant district attorney; investigator employed in the office of a
19 district attorney; or other law enforcement official.

20 § 3. Subdivision 1 of section 413 of the social services law is
21 amended by adding five new paragraphs (e), (f), (g), (h) and (i) to read
22 as follows:

23 (e) Unless the person confessing or confiding waives the privilege, a
24 member of the clergy, or other minister of any religion or duly accred-
25 ited Christian Science practitioner, shall not be required to make a
26 report as required by paragraph (a) of this subdivision if the
27 confession or confidence was made to the member of the clergy, minister,
28 or Christian Science practitioner in such person's professional charac-
29 ter as spiritual advisor.

30 (f) When a member of the clergy has reasonable cause to suspect that a
31 child is an abused or maltreated child based upon any information
32 received other than through a confession or confidence made pursuant to
33 paragraph (e) of this subdivision, then such member of the clergy shall
34 promptly make a report as required by paragraph (a) of this subdivision
35 notwithstanding the fact that member of the clergy may have also
36 received a report of abuse or maltreatment through a confession or
37 confidence made pursuant to paragraph (e) of this subdivision.

38 (g) The provisions of paragraph (e) of this subdivision shall not be
39 deemed to exempt a member of the clergy from any other requirements of
40 law to prevent the perpetrator from committing additional acts of abuse.

41 (h) For the purposes of this subdivision the term "member of the cler-
42 gy" shall have the same definition as the term "clergyman" as set forth
43 in section two of the religious corporations law and shall also include
44 any person responsible for supervising a member of the clergy of a reli-
45 gious institution or responsible for the administration of a religious
46 institution.

47 (i) For the purposes of this subdivision the term "religious institu-
48 tion" shall mean a religious corporation created to enable its members
49 to meet for divine worship or other religious observances or a congre-
50 gation, society, or other assemblage of persons who are accustomed to
51 statedly meet for divine worship or other religious observances, without
52 having been incorporated for that purpose, as provided in section two of
53 the religious corporations law.

54 § 4. This act shall take effect immediately.