STATE OF NEW YORK

9189

IN SENATE

May 12, 2022

Introduced by Sen. MANNION -- 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 extending the amount of time before certain reports to the statewide central register regarding abuse and maltreatment are expunged

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

Section 1. Subdivision 6 of section 422 of the social services law, as amended by chapter 92 of the laws of 2021, is amended to read as follows:

6. In all other cases, the record of the report to the statewide central register shall be expunged [~~ten~~] **fifteen** years after the eighteenth birthday of the youngest child named in the report. In the case of a child in residential care the record of the report to the statewide central register shall be expunged [~~ten~~] **fifteen** years after the reported child's eighteenth birthday. In any case and at any time, the commissioner of the office of children and family services may amend any record upon good cause shown and notice to the subjects of the report and other persons named in the report. Provided however, any report indicated for maltreatment based solely on the purchase, possession or consumption of cannabis, without a showing that the child's physical, mental or emotional condition was impaired or was in imminent danger of becoming impaired in accordance with the definition of child maltreatment as provided for in section four hundred twelve of this title is established by a fair preponderance of the evidence shall immediately be sealed upon a request pursuant to subdivision eight of this section or section four hundred twenty-four-a of this title.

§ 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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