STATE OF NEW YORK

8605

IN SENATE

February 21, 2024

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

AN ACT to amend the public health law, in relation to the release of identifying information of consenting registrants from the adoption registry

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

Section 1. Subdivision 6 of section 4138-c of the public health law, as amended by chapter 181 of the laws of 2010, is amended to read as follows:

6. Upon receipt of a final consent **or if given pre-authorization on the appropriate form** by the adoptee, by either of the birth parents, and/or by a biological sibling of the adoptee, the department shall, unless the adoptee or biological sibling registrant shall elect otherwise, if an authorized agency was involved in such adoption, release identifying information to such agency; such agency shall thereafter promptly release identifying information about the consenting registrants to the consenting registrants. If no authorized agency was involved, or if any registrant shall have elected not to have release of the information by the authorized agency involved in such adoption the department shall release identifying information to the consenting registrants. Such identifying information shall be limited to the names and addresses of the consenting registrants and shall not include any other information contained in the adoption or birth records. However, nothing in this section shall be construed to prevent the release of adoption records as otherwise permitted by law.

§ 2. Section 206 of the public health law is amended by adding a new subdivision 32 to read as follows:

32. The commissioner shall promulgate rules and regulations for the creation of a pre-authorization form to be used by an adoptee, either of the birth parents, and/or a biological sibling to consent to the release of the consenting registrants' identifying information to the consenting registrants.

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

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§ 3. This act shall take effect on the thirtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.