

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:

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

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

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

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

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

LBD13810-01-3

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