

STATE OF NEW YORK

3931

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

Introduced by M. of A. DILAN -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to the confidentiality of certain actions brought by or on behalf of incarcerated individuals

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

1 Section 1. Short title. This act shall be known and may be cited as
2 "Sahim's law".

3 § 2. Legislative findings and intent. The legislature hereby finds and
4 declares that incarcerated individuals face significant barriers in
5 pursuing legal action against correctional facilities due to potential
6 conflicts of interest and concerns of retaliation. To address these
7 issues and ensure the fair and equitable treatment of incarcerated indi-
8 viduals, it is necessary to allow their families to initiate and
9 complete lawsuits on their behalf.

10 § 3. The correction law is amended by adding a new section 24-b to
11 read as follows:

12 § 24-b. Civil actions against department personnel; supplemental
13 provisions. 1. Any civil action brought pursuant to section twenty-four
14 of this article shall be served directly to the commissioner. The
15 commissioner shall not disclose the name of the incarcerated individual
16 who is the subject of such civil action to the warden or staff of the
17 correctional facility involved in such civil action, except as required
18 by the civil practice law and rules for the purpose of responding to
19 such civil action. When such disclosure is required, the commissioner
20 shall implement measures to maintain confidentiality beyond such
21 required disclosure and ensure that no retaliatory actions are taken
22 against the incarcerated individual, as applicable.

23 2. (a) Family members of incarcerated individuals may bring a civil
24 action on behalf of such incarcerated individual pursuant to section
25 twenty-four of this article upon receipt of the consent of such incar-

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

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1 cerated individual. An independent legal advocate or public defender
2 shall certify that such consent was given voluntarily.

3 (b) Following the receipt of such incarcerated individual's consent
4 pursuant to paragraph (a) of this subdivision, such family members may
5 serve as the representative for such incarcerated individual for the
6 remainder of such legal proceeding, during which no additional consent
7 or other action shall be required from such incarcerated individual for
8 the purposes of carrying out such legal proceeding.

9 (c) For the purposes of this subdivision, the term "family member"
10 shall include spouses, domestic partners, adult children, parents,
11 siblings, and legal guardians of an incarcerated individual on whose
12 behalf a civil action is brought pursuant to section twenty-four of this
13 article.

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