# 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:**

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

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

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

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

**2. (a) Family members of incarcerated individuals may bring a civil action on behalf of such incarcerated individual pursuant to section 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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cerated individual. An independent legal advocate or public defender shall certify that such consent was given voluntarily.

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

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

§ 4. This act shall take effect on the ninetieth 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.