

# STATE OF NEW YORK

8063--A

2025-2026 Regular Sessions

## IN ASSEMBLY

April 22, 2025

Introduced by M. of A. McMAHON, SIMON, STIRPE, BUTTENSCHON, WOERNER, GLICK, BORES, SHIMSKY, SEAWRIGHT, STECK, BURKE -- read once and referred to the Committee on Children and Families -- recommitted to the Committee on Children and Families in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to establishing the "child abuse reporting expansion act"

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

1 Section 1. This act shall be known and may be cited as the "child  
2 abuse reporting expansion act".  
3 § 2. Paragraph (a) of subdivision 1 of section 413 of the social  
4 services law, as amended by chapter 733 of the laws of 2023, is  
5 amended to read as follows:  
6 (a) The following persons and officials are required to report or  
7 cause a report to be made in accordance with this title when they have  
8 reasonable cause to suspect that a child coming before them in their  
9 professional or official capacity is an abused or maltreated child, or  
10 when they have reasonable cause to suspect that a child is an abused or  
11 maltreated child where the parent, guardian, custodian or other person  
12 legally responsible for such child comes before them in their profes-  
13 sional or official capacity and states from personal knowledge facts,  
14 conditions or circumstances which, if correct, would render the child an  
15 abused or maltreated child: any physician; registered physician assist-  
16 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;  
17 osteopath; optometrist; chiropractor; podiatrist; resident; intern;  
18 athletic trainer; psychologist; registered nurse; social worker; emer-  
19 gency medical technician; licensed creative arts therapist; licensed  
20 marriage and family therapist; licensed mental health counselor;  
21 licensed psychoanalyst; licensed behavior analyst; certified behavior

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

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1 analyst assistant; hospital personnel engaged in the admission, examina-  
2 tion, care or treatment of persons; a Christian Science practitioner;  
3 clergy member or other minister of any religion; school official, which  
4 includes but is not limited to school teacher, school guidance counse-  
5 lor, school psychologist, school social worker, school nurse, school  
6 administrator or other school personnel required to hold a teaching or  
7 administrative license or certificate; full or part-time compensated  
8 school employee required to hold a temporary coaching license or profes-  
9 sional coaching certificate; social services worker; employee of a publ-  
10 ically-funded emergency shelter for families with children; director of a  
11 children's overnight camp, summer day camp or traveling summer day camp,  
12 as such camps are defined in section thirteen hundred ninety-two of the  
13 public health law; day care center worker; school-age child care worker;  
14 provider of family or group family day care; employee or volunteer in a  
15 residential care facility for children that is licensed, certified or  
16 operated by the office of children and family services; or any other  
17 child care or foster care worker; mental health professional; substance  
18 abuse counselor; alcoholism counselor; all persons credentialed by the  
19 office of alcoholism and substance abuse services; employees, who are  
20 expected to have regular and substantial contact with children, of a  
21 health home or health home care management agency contracting with a  
22 health home as designated by the department of health and authorized  
23 under section three hundred sixty-five-1 of this chapter or such employ-  
24 ees who provide home and community based services under a demonstra-  
25 tion program pursuant to section eleven hundred fifteen of the federal social  
26 security act who are expected to have regular and substantial contact  
27 with children; peace officer; police officer; district attorney or  
28 assistant district attorney; investigator employed in the office of a  
29 district attorney; or other law enforcement official.

30 § 3. Subdivision 1 of section 413 of the social services law is  
31 amended by adding five new paragraphs (e), (f), (g), (h) and (i) to read  
32 as follows:

33 (e) Unless the person confessing or confiding waives the privilege, a  
34 member of the clergy, or other minister of any religion or duly accred-  
35 ited Christian Science practitioner, shall not be required to make a  
36 report as required by paragraph (a) of this subdivision if the  
37 confession or confidence was made to the member of the clergy, minister,  
38 or Christian Science practitioner in such person's professional charac-  
39 ter as spiritual advisor.

40 (f) When a member of the clergy has reasonable cause to suspect that a  
41 child is an abused or maltreated child based upon any information  
42 received other than through a confession or confidence made pursuant to  
43 paragraph (e) of this subdivision, then such member of the clergy shall  
44 promptly make a report as required by paragraph (a) of this subdivision  
45 notwithstanding the fact that member of the clergy may have also  
46 received a report of abuse or maltreatment through a confession or  
47 confidence made pursuant to paragraph (e) of this subdivision.

48 (g) The provisions of paragraph (e) of this subdivision shall not be  
49 deemed to exempt a member of the clergy from any other requirements of  
50 law to prevent the perpetrator from committing additional acts of abuse.

51 (h) For the purposes of this subdivision the term "member of the cler-  
52 gy" shall have the same definition as the term "clergyman" as set forth  
53 in section two of the religious corporations law and shall also include  
54 any person responsible for supervising a member of the clergy of a reli-  
55 gious institution or responsible for the administration of a religious  
56 institution.

1 (i) For the purposes of this subdivision the term "religious institu-  
2 tion" shall mean a religious corporation created to enable its members  
3 to meet for divine worship or other religious observances or a congre-  
4 gation, society, or other assemblage of persons who are accustomed to  
5 statedly meet for divine worship or other religious observances, without  
6 having been incorporated for that purpose, as provided in section two of  
7 the religious corporations law.

8 § 4. This act shall take effect immediately.