

STATE OF NEW YORK

1714--A

Cal. No. 169

2025-2026 Regular Sessions

IN SENATE

January 13, 2025

Introduced by Sens. BROUK, BRISPORT, COONEY, FERNANDEZ, GIANARIS, JACKSON, RAMOS, SALAZAR, SEPULVEDA, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public health law, the county law, the executive law and the state finance law, in relation to prohibiting the use of the term excited delirium as a diagnosis, label, or cause of death

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

1 Section 1. Subdivision 4 of section 4141 of the public health law is
2 amended by adding a new paragraph (e) to read as follows:

3 (e) No death certificate shall cite excited delirium as a diagnosis,
4 label, cause of death, or contributing factor to any death. For the
5 purposes of this paragraph, the term "excited delirium" shall mean a
6 term used to describe a person's state of agitation, excitability, para-
7 noia, extreme aggression, physical violence, and apparent immunity to
8 pain that is not listed in the most current version of the Diagnostic
9 and Statistical Manual of Mental Disorders, or for which the court finds
10 there is insufficient scientific evidence or diagnostic criteria to be
11 recognized as a medical condition. Excited delirium also includes
12 excited delirium syndrome, excited delirium, hyperactive delirium,
13 agitated delirium, and exhaustive mania.

14 § 2. Section 677 of the county law is amended by adding a new subdivi-
15 sion 2-a to read as follows:

16 2-a. No report of any autopsy or other examination shall cite excited
17 delirium as a cause or means or manner of death. For the purposes of

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

LBD02051-03-6

1 this subdivision, the term "excited delirium" shall mean a term used to
2 describe a person's state of agitation, excitability, paranoia, extreme
3 aggression, physical violence, and apparent immunity to pain that is not
4 listed in the most current version of the Diagnostic and Statistical
5 Manual of Mental Disorders, or for which the court finds there is insuf-
6 ficient scientific evidence or diagnostic criteria to be recognized as a
7 medical condition. Excited delirium also includes excited delirium
8 syndrome, excited delirium, hyperactive delirium, agitated delirium, and
9 exhaustive mania.

10 § 3. The executive law is amended by adding a new section 837-aa to
11 read as follows:

12 § 837-aa. Prohibition of use of excited delirium. 1. No report by a
13 law enforcement officer or peace officer shall reference excited deliri-
14 um in such report.

15 2. No law enforcement officer or peace officer shall take any action
16 with respect to an individual in response to such individual being diag-
17 nosd or labeled as having or being in a state of excited delirium. No
18 training shall be provided that requires, encourages, or permits any
19 action in response to an individual being diagnosed or labeled as having
20 or being in a state of excited delirium.

21 3. For the purposes of this section, "excited delirium" shall mean a
22 term used to describe a person's state of agitation, excitability, para-
23 noia, extreme aggression, physical violence, and apparent immunity to
24 pain that is not listed in the most current version of the Diagnostic
25 and Statistical Manual of Mental Disorders, or for which the court finds
26 there is insufficient scientific evidence or diagnostic criteria to be
27 recognized as a medical condition. Excited delirium also includes
28 excited delirium syndrome, excited delirium, hyperactive delirium,
29 agitated delirium, and exhaustive mania.

30 § 4. The state finance law is amended by adding a new section 139-n to
31 read as follows:

32 § 139-n. Prohibition of use of excited delirium. 1. As used in this
33 section:

34 (a) "Contractor" means any person, firm, partnership, corporation,
35 association, company, organization or other similar entity, or any
36 combination thereof, including any subcontractor thereof, that employs
37 employees to perform work pursuant to an agreement with a public agency.

38 (b) "Public agency" means the state, and any department, agency,
39 board, bureau, commission, division, council or office of the state or
40 any political subdivision thereof, as defined in section one hundred of
41 the general municipal law, a municipal corporation as defined in section
42 sixty-six of the general construction law and any district thereof, a
43 public benefit corporation, or local or state authority as defined in
44 section two of the public authorities law, and any other entity author-
45 ized and empowered to enter into any contract or arrangement to conduct
46 economic development activity on behalf of any such public agency.

47 (c) "Excited delirium" means a term used to describe a person's state
48 of agitation, excitability, paranoia, extreme aggression, physical
49 violence, and apparent immunity to pain that is not listed in the most
50 current version of the Diagnostic and Statistical Manual of Mental
51 Disorders, or for which the court finds there is insufficient scientific
52 evidence or diagnostic criteria to be recognized as a medical condition.
53 Excited delirium also includes excited delirium syndrome, excited deli-
54 rium, hyperactive delirium, agitated delirium, and exhaustive mania.

55 2. No employee of a public agency or contractor or employee of a
56 contractor shall issue a diagnosis of excited delirium, report excited

1 delirium as a cause of death or a contributing factor to a death, or
2 conduct any trainings or share materials attesting to the validity of
3 excited delirium as a cause of death.

4 3. No public agency or contractor shall adopt or maintain any policy
5 or procedure, including but not limited to police manuals and trainings,
6 that acknowledges the validity of the diagnosis, cause of death, or
7 label of excited delirium.

8 § 5. This act shall take effect immediately.