

STATE OF NEW YORK

2431

2025-2026 Regular Sessions

IN SENATE

January 17, 2025

Introduced by Sen. HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the civil rights law, in relation to ensuring the privacy of name change actions and of sex designation change actions; and to repeal certain provisions of such law relating thereto

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

1 Section 1. Section 64-a of the civil rights law is REPEALED and a new
2 section 64-a is added to read as follows:

3 § 64-a. Ensuring privacy of name change actions. 1. At no time shall
4 any paper or document filed by electronic or paper means in a name
5 change action be available for public inspection in-person, online, or
6 at any computer terminal in the courthouse or the office of the county
7 clerk, except for access by the petitioner, the person changing their
8 name if different from the petitioner, the attorney of record, or upon a
9 finding of good cause. No order of the court shall be required for a
10 petitioner, or a person whose name change a filing pertains to, to
11 access their own file.

12 2. Any entity responsible for processing and maintaining court records
13 shall ensure matters filed under this article are inaccessible to the
14 public immediately upon filing, regardless of whether a petitioner makes
15 a showing of risk and regardless of the reason for the name change. This
16 section applies to all matters filed under this article regardless of
17 whether a petitioner has made a specific request for their information
18 to be kept private and regardless of whether a court has ordered seal-
19 ing.

20 3. The office of court administration, clerks, and all other records
21 custodians shall develop policies and procedures to ensure no identify-
22 ing information or documentation relating to a matter filed under this
23 article is visible or retrievable in any electronic database maintained
24 by the state of New York or a subdivision thereof. Non-identifying

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

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1 administrative information including but not limited to index numbers,
2 judges, courts, attorney names, information about the nature and status
3 of the action, and initialized or anonymized captions may be visible.
4 All custodial agencies and individuals shall ensure any platforms or
5 systems used to file or maintain court records allow for custodians to
6 input and maintain matters filed under this article consistent with this
7 section.

8 4. Within ninety days of the effective date of this section, all
9 custodial agencies and individuals maintaining existing name change
10 records shall ensure all matters filed under this article prior to the
11 effective date of this section are removed from public view in-person
12 and in online databases consistent with this section.

13 5. If a person whose name was changed by court order prior to the
14 effective date of this section discovers that information deemed private
15 under this section is publicly accessible, such person may move ex parte
16 at any time to request that information deemed private under this
17 section be removed from public view consistent with this section,
18 regardless of whether a request to seal was made at the time of the
19 original petition or the matter was previously ordered sealed.

20 6. Nothing in this section shall be construed to limit the discretion
21 of the court to order notice of a name change pursuant to this article.

22 § 2. Section 67-b of the civil rights law is REPEALED and a new
23 section 67-b is added to read as follows:

24 § 67-b. Ensuring the privacy of sex designation change actions. 1. At
25 no time shall any paper or document filed by electronic or paper means
26 in a sex designation change action be available for public inspection
27 in-person, online, or at any computer terminal in the courthouse or the
28 office of the county clerk, except for access by the petitioner, the
29 person changing their sex designation if different from the petitioner,
30 the attorney of record, or upon a finding of good cause. No order of the
31 court shall be required for a petitioner, or a person whose sex desig-
32 nation change a filing pertains to, to access their own file.

33 2. Any entity responsible for processing and maintaining court records
34 shall ensure matters filed under this article are inaccessible to the
35 public immediately upon filing, regardless of whether a petitioner makes
36 a showing of risk and regardless of the reason for the sex designation
37 change. This section applies to all matters filed under this article
38 regardless of whether a petitioner has made a specific request for their
39 information to be kept private and regardless of whether a court has
40 ordered sealing.

41 3. The office of court administration, clerks, and all other records
42 custodians shall develop policies and procedures to ensure no identify-
43 ing information or documentation relating to a matter filed under this
44 article is visible or retrievable in any electronic database maintained
45 by the state of New York or a subdivision thereof. Non-identifying
46 administrative information including but not limited to index numbers,
47 judges, courts, attorney names, information about the nature and status
48 of the action, and initialized or anonymized captions may be visible.
49 All custodial agencies and individuals shall ensure any platforms or
50 systems used to file or maintain court records allow for custodians to
51 input and maintain matters filed under this article consistent with this
52 section.

53 4. Within ninety days of the effective date of this section, all
54 custodial agencies and individuals maintaining existing sex designation
55 change records shall ensure all matters filed under this article prior

1 to the effective date of this section are removed from public view
2 in-person and in online databases consistent with this section.

3 5. If a person whose sex designation was changed by court order prior
4 to the effective date of this section discovers that information deemed
5 private under this section is publicly accessible, such person may move
6 ex parte at any time to request that information deemed private under
7 this section be removed from public view consistent with this section,
8 regardless of whether a request to seal was made at the time of the
9 original petition or the matter was previously ordered sealed.

10 § 3. This act shall take effect immediately.