

STATE OF NEW YORK

8217

2025-2026 Regular Sessions

IN SENATE

May 21, 2025

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

AN ACT to amend the criminal procedure law, in relation to requiring certain covered platforms to provide a process for law enforcement agencies to contact such platform and to comply with search warrants within seventy-two hours

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

1 Section 1. The criminal procedure law is amended by adding a new
2 section 690.60 to read as follows:

3 § 690.60 Search warrants; covered platforms.

4 1. For the purposes of this section, the following terms shall have
5 the following meanings:

6 (a) "Adverse result" shall mean any of the following:

7 (i) danger to the life or physical safety of an individual;

8 (ii) flight from prosecution;

9 (iii) destruction of or tampering with evidence;

10 (iv) intimidation of potential witnesses; or

11 (v) serious jeopardy to an investigation.

12 (b) "Covered minor" shall mean any user who is determined by an opera-
13 tor, via one or more commercially reasonable age verification methods,
14 to be under the age of eighteen.

15 (c) "Covered platform" shall mean a public or semi-public website,
16 online service, online application, or mobile application that (i) is
17 used by covered minors in this state, (ii) allows users to construct a
18 public or semi-public profile for the purposes of using such website,
19 service, or application, and (iii) allows users to create or post
20 content that is viewable by other users, including but not limited to,
21 on message boards, in chat rooms, or through a landing page or main feed
22 that presents the user with content generated by other users or artifi-
23 cial intelligence.

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

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1 (d) "Law enforcement agency" shall mean any agency which is empowered
2 by law to conduct an investigation or make an arrest for an offense
3 under the penal law, and an agency which is authorized by law to prose-
4 cute or participate in the prosecution of an offense under the penal
5 law.

6 (e) "Law enforcement officer" shall mean any public servant who is
7 empowered by law to conduct an investigation of or to make an arrest for
8 an offense under the penal law, and any attorney authorized by law to
9 prosecute or participate in the prosecution of an offense under penal
10 law.

11 (f) "Operator" shall mean any person, business, or other legal entity
12 who operates or provides a covered platform.

13 (g) "Search warrant" shall mean a search warrant duly executed pursu-
14 ant to the provisions of this article.

15 (h) "User" shall mean a user of a covered platform in New York not
16 acting as an operator, or agent or affiliate of such operator, of such
17 platform or any portion thereof.

18 2. An operator that provides a covered platform shall ensure that its
19 covered platform provides a streamlined process to allow law enforcement
20 agencies to contact such covered platform. Such process shall, at a
21 minimum:

22 (a) Make available a staffed hotline for law enforcement officers for
23 the purposes of:

24 (i) receiving and responding to questions about search warrants twen-
25 ty-four hours a day;

26 (ii) acknowledging receipt of a search warrant within eight hours of
27 receipt; and

28 (iii) providing status updates on search warrant compliance to a
29 requesting law enforcement agency, which shall include:

30 (1) a method to provide regular status updates to a requesting law
31 enforcement agency in response to a question pertaining to a search
32 warrant;

33 (2) an acknowledgement of receipt of a search warrant in compliance
34 with subparagraph (ii) of this paragraph; and

35 (3) the status of fulfilling a request of a search warrant; and

36 (b) Provide continuous availability of such process to law enforcement
37 agencies.

38 3. Except as provided in subdivision four of this section or any other
39 law, an operator that provides a covered platform shall comply with a
40 search warrant within seventy-two hours after receiving such search
41 warrant if all of the following apply:

42 (a) such search warrant is provided to such operator or covered plat-
43 form by a law enforcement agency;

44 (b) the subject of such search warrant is information associated with
45 a user's account on the covered platform operated by such operator; and

46 (c) the information is controlled by a user or provider of the covered
47 platform.

48 4. A court may reasonably extend the time required to comply with a
49 search warrant pursuant to subdivision three of this section, if the
50 court makes a written finding that the operator or covered platform has
51 shown good cause for the extension and that an extension would not cause
52 an adverse result.

53 5. The provisions of this section shall not apply to an online plat-
54 form with fewer than one million discrete monthly users.

55 6. On or after the effective date of this section, whenever it appears
56 to the attorney general, upon complaint or otherwise, that any person,

1 within or outside the state, has violated the provisions of this
2 section, the attorney general may bring an action or special proceeding
3 in the name and on behalf of the people of the state of New York to:

4 (a) enjoin any such violation;

5 (b) obtain restitution of any moneys or property obtained directly or
6 indirectly by any such violation;

7 (c) obtain disgorgement of any profits or gains obtained directly or
8 indirectly by any such violation;

9 (d) obtain damages caused directly or indirectly by any such
10 violation;

11 (e) obtain civil penalties of up to five thousand dollars per
12 violation; and

13 (f) obtain any such other and further relief as the court may deem
14 proper, including preliminary relief.

15 § 2. This act shall take effect immediately.