

# STATE OF NEW YORK

9021

## IN SENATE

January 22, 2026

Introduced by Sen. HARCKHAM -- 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 the right to privacy in certain actions

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

1 Section 1. Section 50-b of the civil rights law, as amended by chapter  
2 643 of the laws of 1999 and subdivision 1 as amended by chapter 155 of  
3 the laws of 2022, is amended to read as follows:

4 § 50-b. Right of privacy; victims of sex offenses or offenses involv-  
5 ing the transmission of the human immunodeficiency virus. 1. The iden-  
6 tity of any victim of a sex offense, as defined in article one hundred  
7 thirty or section 255.25, 255.26 or 255.27 of the penal law, section two  
8 hundred thirteen-c of the civil practice law and rules, or of an offense  
9 involving the alleged transmission of the human immunodeficiency virus,  
10 shall be confidential. No report, paper, picture, photograph, court file  
11 or other documents, in the custody or possession of any public officer  
12 or employee, which identifies such a victim shall be made available for  
13 public inspection. No such public officer or employee shall disclose any  
14 portion of any police report, court file, or other document, which tends  
15 to identify such a victim except as provided in subdivision two of this  
16 section. Nothing in this subdivision shall be construed to require that  
17 a criminal charge be brought or a criminal conviction be obtained as a  
18 condition of confidentiality of the plaintiff's identity in an action  
19 brought by a victim of conduct constituting a sexual offense as defined  
20 by section two hundred thirteen-c of the civil practice law and rules,  
21 or a civil offense involving the transmission of the human immunodefici-  
22 ency virus. A plaintiff commencing an action alleging conduct constitut-  
23 ing a sexual offense as defined by section two hundred thirteen-c of the  
24 civil practice law and rules, or a civil offense involving the trans-  
25 mission of the human immunodeficiency virus shall have the right to  
26 proceed anonymously.

27 2. The provisions of subdivision one of this section shall not be  
28 construed to prohibit disclosure of information to:

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

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1 a. Any person charged with the commission of an offense or a party  
2 against whom an action has been commenced alleging conduct constituting  
3 a sexual offense, as defined in subdivision one of this section, against  
4 the same victim; the counsel or guardian of such person; the public  
5 officers and employees charged with the duty of investigating, prosecut-  
6 ing, keeping records relating to the offense, or any other act when done  
7 pursuant to the lawful discharge of their duties; and any necessary  
8 witnesses for either party; or

9 b. Any person who, upon application to a court having jurisdiction  
10 over the alleged offense or action, demonstrates to the satisfaction of  
11 the court that good cause exists for disclosure to that person. Such  
12 application shall be made upon notice to the victim or other person  
13 legally responsible for the care of the victim, and the public officer  
14 or employee charged with the duty of prosecuting the offense; or

15 c. Any person or agency, upon written consent of the victim or other  
16 person legally responsible for the care of the victim, except as may be  
17 otherwise required or provided by the order of a court.

18 3. The court having jurisdiction over the alleged offense or action  
19 may order any restrictions upon disclosure authorized in subdivision two  
20 of this section, as it deems necessary and proper to preserve the confi-  
21 dentiality of the identity of the victim.

22 4. Nothing contained in this section shall be construed to require the  
23 court to exclude the public from any stage of the criminal or civil  
24 proceeding.

25 5. No disclosure of confidential HIV related information, as defined  
26 in section twenty-seven hundred eighty of the public health law, includ-  
27 ing the identity of the victim of an offense involving transmission of  
28 the human immunodeficiency virus, shall be permitted under this section  
29 contrary to article twenty-seven-F of the public health law.

30 § 2. This act shall take effect immediately.