

# STATE OF NEW YORK

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9764

## IN SENATE

April 6, 2026

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Introduced by Sens. SEPULVEDA, JACKSON, LIU, MAY, SALAZAR -- read twice  
and ordered printed, and when printed to be committed to the Committee  
on Children and Families

AN ACT to amend the domestic relations law, in relation to the custody  
of children

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

1 Section 1. Subdivision 1 of section 240 of the domestic relations law  
2 is amended by adding a new paragraph (k) to read as follows:

3 (k) In determining the best interests of the child, the court shall  
4 not: (1) consider the sex, sexual orientation, gender identity or  
5 gender expression of the parties; or

6 (2) prohibit a party from undergoing gender reassignment.

7 § 2. This act shall take effect immediately.

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

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