STATE OF NEW YORK

7972

2025-2026 Regular Sessions

IN ASSEMBLY

April 16, 2025

Introduced by M. of A. PAULIN, SHIMSKY, STECK, HEVESI, ROSENTHAL, DAVILA, GONZALEZ-ROJAS, GRIFFIN, McDONOUGH -- read once and referred to the Committee on Governmental Operations

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:

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

§ 50-b. Right of privacy; victims of sex offenses or offenses involving the transmission of the human immunodeficiency virus. 1. The identity of any victim of a sex offense, as defined in article one hundred thirty or section 255.25, 255.26 or 255.27 of the penal law, **section two hundred thirteen-c of the civil practice law and rules,** or of an offense involving the alleged transmission of the human immunodeficiency virus, shall be confidential. No report, paper, picture, photograph, court file or other documents, in the custody or possession of any public officer or employee, which identifies such a victim shall be made available for public inspection. No such public officer or employee shall disclose any portion of any police report, court file, or other document, which tends to identify such a victim except as provided in subdivision two of this section. **Nothing in this subdivision shall be construed to require that a criminal charge be brought or a criminal conviction be obtained as a condition of confidentiality of the plaintiff's identity in an action brought by a victim of conduct constituting a sexual offense as defined by section two hundred thirteen-c of the civil practice law and rules, or a civil offense involving the transmission of the human immunodeficiency virus. A plaintiff commencing an action alleging conduct constituting a sexual offense as defined by section two hundred thirteen-c of the civil practice law and rules, or a civil offense involving the trans-**

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

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mission of the human immunodeficiency virus shall have the right to proceed anonymously.

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

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

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

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

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

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

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

§ 2. This act shall take effect immediately.