STATE OF NEW YORK

8716

2025-2026 Regular Sessions

IN ASSEMBLY

June 2, 2025

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to enacting the "autism data privacy protection act"

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

Section 1. Short title. This act shall be known and may be cited as the "autism data privacy protection act".

§ 2. The executive law is amended by adding a new section 170-j to read as follows:

§ 170-j. Privacy protections for individuals with autism. 1. Every state agency, board, department, commission, political subdivision, grantee or contractor shall be prohibited from collecting or disclosing personally identifiable autism-related information of a person without the informed, written consent of such person.

2. Notwithstanding subdivision one of this section, no state agency, board, department, commission, political subdivision, grantee or contractor shall be found to be in violation of this section when providing such autism-related information in response to court orders, service delivery needs or lawful mandates and such state agency, board, department, commission, political subdivision, grantee or contractor takes steps to limit and anonymize its data.

3. Whenever it appears to the attorney general, either upon complaint or otherwise, that any person's autism-related information was disclosed in violation of this section, the attorney general may bring an action or special proceeding in the name and on behalf of the people of the state of New York to enjoin any violation of this section and/or to obtain civil penalties of not more than two thousand five hundred dollars per violation. For the purposes of this subdivision, each person whose autism-related information was unlawfully disclosed shall be considered a separate violation.

§ 3. 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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