

STATE OF NEW YORK

2431

2025-2026 Regular Sessions

IN SENATE

January 17, 2025

Introduced by Sen. HOYLMAN-SIGAL -- 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 ensuring the privacy of name change actions and of sex designation change actions; and to repeal certain provisions of such law relating thereto

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

Section 1. Section 64-a of the civil rights law is REPEALED and a new section 64-a is added to read as follows:

§ 64-a. Ensuring privacy of name change actions. 1. At no time shall any paper or document filed by electronic or paper means in a name change action be available for public inspection in-person, online, or at any computer terminal in the courthouse or the office of the county clerk, except for access by the petitioner, the person changing their name if different from the petitioner, the attorney of record, or upon a finding of good cause. No order of the court shall be required for a petitioner, or a person whose name change a filing pertains to, to access their own file.

2. Any entity responsible for processing and maintaining court records shall ensure matters filed under this article are inaccessible to the public immediately upon filing, regardless of whether a petitioner makes a showing of risk and regardless of the reason for the name change. This section applies to all matters filed under this article regardless of whether a petitioner has made a specific request for their information to be kept private and regardless of whether a court has ordered sealing.

3. The office of court administration, clerks, and all other records custodians shall develop policies and procedures to ensure no identifying information or documentation relating to a matter filed under this article is visible or retrievable in any electronic database maintained by the state of New York or a subdivision thereof. Non-identifying

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

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administrative information including but not limited to index numbers, judges, courts, attorney names, information about the nature and status of the action, and initialized or anonymized captions may be visible. All custodial agencies and individuals shall ensure any platforms or systems used to file or maintain court records allow for custodians to input and maintain matters filed under this article consistent with this section.

4. Within ninety days of the effective date of this section, all custodial agencies and individuals maintaining existing name change records shall ensure all matters filed under this article prior to the effective date of this section are removed from public view in-person and in online databases consistent with this section.

5. If a person whose name was changed by court order prior to the effective date of this section discovers that information deemed private under this section is publicly accessible, such person may move ex parte at any time to request that information deemed private under this section be removed from public view consistent with this section, regardless of whether a request to seal was made at the time of the original petition or the matter was previously ordered sealed.

6. Nothing in this section shall be construed to limit the discretion of the court to order notice of a name change pursuant to this article.

§ 2. Section 67-b of the civil rights law is REPEALED and a new section 67-b is added to read as follows:

§ 67-b. Ensuring the privacy of sex designation change actions. 1. At no time shall any paper or document filed by electronic or paper means in a sex designation change action be available for public inspection in-person, online, or at any computer terminal in the courthouse or the office of the county clerk, except for access by the petitioner, the person changing their sex designation if different from the petitioner, the attorney of record, or upon a finding of good cause. No order of the court shall be required for a petitioner, or a person whose sex designation change a filing pertains to, to access their own file.

2. Any entity responsible for processing and maintaining court records shall ensure matters filed under this article are inaccessible to the public immediately upon filing, regardless of whether a petitioner makes a showing of risk and regardless of the reason for the sex designation change. This section applies to all matters filed under this article regardless of whether a petitioner has made a specific request for their information to be kept private and regardless of whether a court has ordered sealing.

3. The office of court administration, clerks, and all other records custodians shall develop policies and procedures to ensure no identifying information or documentation relating to a matter filed under this article is visible or retrievable in any electronic database maintained by the state of New York or a subdivision thereof. Non-identifying administrative information including but not limited to index numbers, judges, courts, attorney names, information about the nature and status of the action, and initialized or anonymized captions may be visible. All custodial agencies and individuals shall ensure any platforms or systems used to file or maintain court records allow for custodians to input and maintain matters filed under this article consistent with this section.

4. Within ninety days of the effective date of this section, all custodial agencies and individuals maintaining existing sex designation change records shall ensure all matters filed under this article prior

1 to the effective date of this section are removed from public view
2 in-person and in online databases consistent with this section.

3 5. If a person whose sex designation was changed by court order prior
4 to the effective date of this section discovers that information deemed
5 private under this section is publicly accessible, such person may move
6 ex parte at any time to request that information deemed private under
7 this section be removed from public view consistent with this section,
8 regardless of whether a request to seal was made at the time of the
9 original petition or the matter was previously ordered sealed.

10 § 3. This act shall take effect immediately.