STATE OF NEW YORK

7782--A

Cal. No. 1268

2025-2026 Regular Sessions

IN SENATE

May 6, 2025

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public health law, in relation to requiring the department of health to enter into a contract for the digitalization and indexing of certain vital records

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

Section 1. The public health law is amended by adding a new section 4180 to read as follows:

§ 4180. Vital records digitalization. 1. For the purposes of this section, the term:

(a) "vital records index" or "index" shall mean a systematically organized listing, compilation, or database derived from original vital records maintained by the state local registrars, including but not limited to vital records relating to birth, death, marriage, and dissolution of marriage, which includes at a minimum, the names of any registrants, the date and location of the event's registration, and any assigned identifying reference numbers.

(b) "qualified entity" shall mean a natural person, firm, organization, partnership, association, corporation, or any other entity experienced in maintaining genealogical research databases.

2. The department shall enter into a contract which shall be no longer than seven years in length with a qualified entity to create, maintain, and update an online genealogical research database of images of New York state birth, marriage, dissolution of marriage, and death certificates at no direct cost to the state, in exchange for allowing the qualified entity to also provide such database to its subscribers and customers. Such online database shall be designed and constructed to

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

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have the capability of allowing a vital records index of birth, marriage, dissolution of marriage, and death certificates to be linked to a digital image of the underlying original birth, marriage, dissolution of marriage, or death record once any such underlying record has become public information under section forty-one hundred seventy-four of this title, and the online genealogical research database shall be designed to allow the department to create and activate such links to digital images of the original records. Any social security numbers appearing on such records shall be redacted from the digital images provided to the public, which may include bulk redaction of social security fields from the images via automated methods. Such indexes shall be a public record and subject to the state freedom of information law under article six of the public officers law.

§ 2. Subdivision 3 of section 4174 of the public health law, as amended by section 2 of part W-2 of chapter 62 of the laws of 2003, is amended to read as follows:

3. (a) Notwithstanding any contrary provision of law, the commissioner shall have the authority to determine the means and methods by which the following genealogical records shall be released to an applicant meeting the qualifications to receive the relevant record type as described in this section or in article three of the domestic relations law: (1) a record of birth that has been on file for at least seventy-five years; (2) a record of marriage, dissolution of marriage, or death that has been on file for at least fifty years; or (3) any record of birth, marriage, dissolution of marriage, or death for which the requester is a lineal or collateral descendant.

(b) For any search of the files and records conducted for authorized genealogical or research purposes, the commissioner or any person authorized by [~~him~~] the commissioner shall be entitled to, and the applicant shall pay, a fee of twenty dollars for each hour or fractional part of an hour of time of search, together with a fee of two dollars for each uncertified copy or abstract of such record requested by the applicant or for a certification that a search discloses no record.

§ 3. (a) Notwithstanding any law, rule, or regulation to the contrary, all rights or benefits, including terms and conditions of employment, and protection of civil service and collective bargaining status of all existing employees of any state or political subdivision thereof which currently performs any work related to this act, or similar work, shall be preserved and protected.

(b) Nothing in this act shall result in the: (1) displacement of any currently employed worker or loss of position, including but not limited to any partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits, or result in the impairment of existing collective bargaining agreements; or (2) transfer of any job, duty or function not directly authorized by this act to the qualified entity.

(c) Nothing contained in this act shall be construed to affect: (1) the existing rights of employees pursuant to an existing collective bargaining agreement; and (2) the existing representational relationships among employee organizations or the bargaining relationships between the employer and an employee organization.

§ 4. This act shall take effect immediately.