STATE OF NEW YORK

8198

2025-2026 Regular Sessions

IN SENATE

May 20, 2025

Introduced by Sen. BRISPORT -- (at request of the Unified Court System) -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the family court act, in relation to records checks in family offense cases involving custody of, or access to, children; 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. The first undesignated paragraph of section 842 of the family court act, as amended by chapter 335 of the laws of 2019, is amended to read as follows:

The court may also award custody of the child, during the term of the order of protection to either parent, or to an appropriate relative within the second degree. **Prior to awarding custody pursuant to this paragraph, the court shall direct a review pursuant to section six hundred fifty-one of this act of the reports of the sex offender registry established and maintained pursuant to section one hundred sixty-eight-b of the correction law, reports of the statewide computerized registry of orders of protection established and maintained pursuant to section two hundred twenty-one-a of the executive law, related decisions in court proceedings conducted pursuant to article ten of this act, and all warrants issued pursuant to this act.** Nothing in this section gives the court power to place or board out any child or to commit a child to an institution or agency.

§ 2. The eighth undesignated paragraph of section 842 of the family court act is REPEALED.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law.

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

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