

STATE OF NEW YORK

8755

IN SENATE

January 8, 2026

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public health law, in relation to foreign adoptions

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

1 Section 1. Subdivision 1 of section 4138-b of the public health law,
2 as amended by a chapter of the laws of 2025 amending the public health
3 law relating to foreign adoptions, as proposed in legislative bills
4 numbers S. 3765 and A. 1944, is amended to read as follows:

5 1. Whenever the finalization of a foreign adoption or recognition of a
6 foreign adoption of a person of any age pursuant to section one hundred
7 eleven-c of the domestic relations law, or the adoption of a foreign-
8 born person [~~over the age of eighteen~~] of any age at the time of
9 adoption has been reported to the commissioner, the commissioner shall
10 file a birth certificate for the adopted person provided there is no
11 other birth certificate or other birth record on file other than in the
12 country where such person was born and provided, further, that a certifi-
13 cate of birth data does not exist for that person. Such birth certifi-
14 cate shall be filed upon receipt of: proof that the adoptive parent was
15 a resident of this state at the time of adoption or that the adoptee was
16 lawfully adopted within the State of New York; if the adoptee was
17 adopted in a foreign country or jurisdiction, a copy of the adoption
18 documents of the jurisdiction or country in which the person was
19 adopted; a certified translation of the foreign adoption documents,
20 evidence of the date and place of the adopted person's birth; and
21 evidence of IR-3, IR-4 or IH-3 immigrant visa status or a successor
22 immigrant visa status. The birth certificate shall include the adopted
23 person's name, sex, date of birth, time of birth, place of birth, moth-
24 er's maiden name, and father's name. A birth certificate issued pursuant
25 to this section which has been filed by a local registrar and all
26 supporting documentation shall be submitted by the local registrar to
27 the commissioner who shall file a new birth certificate pursuant to this
28 section.

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

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1 § 2. This act shall take effect on the same date and in the same
2 manner as a chapter of the laws of 2025 amending the public health law
3 relating to foreign adoptions, as proposed in legislative bills numbers
4 S. 3765 and A. 1944, takes effect.