STATE OF NEW YORK

9421--A

IN SENATE

March 11, 2026

Introduced by Sen. BRISPORT -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to allowing persons to request a second hearing to seal child protective services records

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

Section 1. Subparagraph (ii) of paragraph (c) of subdivision 8 of section 422 of the social services law is amended by adding a new undesignated paragraph to read as follows:

Provided, however, the subject shall be entitled to request a second hearing to request the sealing of such subject's case no sooner than two years after the date of the first hearing, if such subject demonstrates good cause to the office of children and family services, and there is no evidence the subject has committed maltreatment of a child in the preceding two years. Good cause shall include, but not be limited to, completing services such as drug or alcohol treatment programs, parenting skills classes, or anger management programs; regular participation in mental health services; or participation in any service, program, therapy, activity, or intervention to address the previously entered substantiated finding or findings. The office of children and family services shall notify the subject of the outcome of their request for a second hearing in writing by mail within thirty days of receipt of the subject's request. The written notice shall include a determination of whether the office of children and family services found good cause for a second hearing and the rationale for the decision to grant or deny the request. If the office of children and family services finds good cause and grants the subject's request for a second hearing, the hearing shall be scheduled within ninety days of such determination. If the subject is denied a second hearing request based on a finding the subject has not shown good cause, the subject shall be entitled to request a subsequent hearing.

§ 2. 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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