

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2026**

No. 117

Introduced by Council Members Abreu, Louis, Hudson, Hanif, Dinowitz, Brewer, Schulman, Banks, Hanks and Wilson.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requirements and reporting for background checks for child care providers, employees, and volunteers

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.34 to read as follows:

§ 17-199.34 Background checks for providers, employees, and volunteers in child care programs. a. Definitions. For purposes of this section, the following terms have the following meanings:

Background check. The term “background check” means a background check conducted by the department for purposes of an individual working as a provider, employee, or volunteer in a child care program in response to a request for such check or a determination by the department that such a check is necessary.

Center-based child care program. The term “center-based child care program” means child care provided by a child care program pursuant to article 47 of the New York city health code, or a successor provision.

Child care program. The term “child care program” means any program that provides care for a child: (i) on a regular basis; (ii) at a premises other than a residence of such child; and (iii) for less than 24 hours per day, by a person other than the parent, stepparent, guardian or relative within the third degree of consanguinity of the parents or stepparents of such child.

b. Requirement. 1. If the department has completed a background check for an individual within the previous 5 years for purposes of working in a center-based child care program, the department shall not require a subsequent background check for such provider, employee, or volunteer for purposes of working in a center-based child care program, unless: (i) such individual has not been employed by a center-based child care program in the city for more than 180 consecutive days within the previous 5 years; (ii) a center-based child care program requests a new background check and such program facilitates providing the information necessary to conduct such new background check; (iii) a new background check is otherwise required by federal or state law or by requirement of the New York state office of children and family services; or (iv) the department determines a new background check is necessary for purposes of safety and that such background check would not materially delay such transfer.

2. For any background check not covered by paragraph 1 of this subdivision, the department shall make best efforts to utilize any information from background checks completed for such individual within the previous 5 years for any subsequent background check.

c. Reports. No later than August 1, 2027, and annually thereafter, the department shall submit to the mayor and the speaker of the council and post on the department’s website a report about the preceding calendar year that includes:

- 1. The number of requests for background checks received by the department;*
- 2. The number of requests for background checks completed by the department;*

3. The number of background checks completed by the department utilizing information from an existing background check; and

4. The median number of days to complete background checks.

§ 2. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on June 30, 2026 and returned unsigned by the Mayor on July 31, 2026.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 117 of 2026, Council Int. No. 15-A of 2026) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor, and neither approved nor disapproved within thirty days thereafter.

MOLLY MURPHY, Acting Corporation Counsel.