

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2025**

No. 141

Introduced by Council Members Hudson, Ossé, Cabán, Bottcher, Schulman, Restler, Hanif, Gutiérrez, Brannan, De La Rosa, Joseph and Brewer.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to the correction of sex designations on death records

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 17-166.1 to read as follows:

§ 17-166.1 Sex designation on death records. a. Definitions. For purposes of this section, the following terms have the following meanings:

Gender identity. The term “gender identity” has the same meaning as set forth in section 3-162.

Supporting documentation. The term “supporting documentation” means documentation memorializing a decedent’s gender transition, which may include: a court order approving the decedent’s gender change; written communication from a medical professional as to decedent’s sex designation; proof of clinical treatment for gender transition; an advance healthcare directive; written instructions from the decedent regarding their gender identity on a legally executed document, including written instructions on the instrument to appoint an agent to control disposition of remains; or, any documentation of a change to, or proof that an application was

submitted by the decedent to change, the decedent's sex designation on a vital record or a state, federal, or local identification card.

b. The department shall establish a procedure to request correction of sex designation on a death record and shall post an application form and instructions for making such a request on its website. The instructions shall address, at a minimum, who is eligible to apply and the supporting documentation that must be submitted with the application. The application form shall allow the applicant to request a new death certificate with the amended sex designation if such application is approved. If the department approves the application, the department shall correct the death record and any subsequent death certificate shall be issued without marking to show that it was corrected.

d. Where supporting documentation provides conflicting information on the decedent's gender identity, the department shall accept the most recently dated supporting documentation.

e. A formal sex designation change on the decedent's birth certificate, state or city identification document, or driver's license prior to death, or proof of gender-affirming surgery, shall not be required to issue a death record or a correction of a death record with a sex designation that is consistent with the decedent's gender identity when other supporting documentation is present.

§ 2. This local law takes effect 180 days after it becomes law.

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 September 10, 2025 and returned unsigned by the Mayor on October 14, 2025.

ALISA FUENTES, Acting City Clerk, Acting Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 141 of 2025, Council Int. No 1258-A of 2025) 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.

SPENCER FISHER, Acting Corporation Counsel.