

7624

I N S E N A T E

May 20, 2014

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the social services law, in relation to requiring cordless window coverings in child day care centers, public institutions for children and certain other facilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The social services law is amended by adding a new section
2 390-aa to read as follows:

3 S 390-AA. CORDLESS WINDOW COVERINGS REQUIRED. 1. FOR PURPOSES OF THIS
4 SECTION, THE DEFINITIONS IN ANSI/WCMA A100.1-2012 SHALL APPLY.

5 2. ANY AGENCY BOARDING HOME, GROUP HOME, CHILD DAY CARE CENTER, PUBLIC
6 INSTITUTION FOR CHILDREN, OR ANY AUTHORIZED AGENCY, NOT INCLUDING A
7 FOSTER HOME, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE CENTER,
8 INSTALLING NEW OR REPLACEMENT WINDOW COVERINGS ON OR AFTER OCTOBER
9 FIRST, TWO THOUSAND FOURTEEN, SHALL INSTALL CORDLESS WINDOW COVERINGS
10 THAT MEET THE REQUIREMENTS OF ANSI/WCMA A100.1-2012 OR ANY SUCCESSOR
11 STANDARD THERETO ADOPTED IN ACCORDANCE WITH ANSI PROCEDURES. IN WINDOW
12 APPLICATIONS WHERE CORDLESS WINDOW COVERING PRODUCTS ARE EITHER NOT
13 AVAILABLE OR IMPRACTICAL TO OPERATE DUE TO WINDOW SIZE, HEIGHT, OR SHAPE
14 AND DOCUMENTED IN WRITING BY AT LEAST TWO NEW YORK WINDOW COVERING
15 RETAILERS, THEN NON-CORDLESS WINDOW COVERING PRODUCTS THAT MEET THE
16 REQUIREMENTS OF ANSI/WCMA A100.1-2012 MAY BE ALLOWED.

17 3. WINDOW COVERINGS IN PLACE BEFORE OCTOBER FIRST, TWO THOUSAND FOUR-
18 TEEN IN ANY AGENCY BOARDING HOME, GROUP HOME, CHILD DAY CARE CENTER, OR
19 PUBLIC INSTITUTION FOR CHILDREN OR ANY AUTHORIZED AGENCY, NOT INCLUDING
20 A FOSTER HOME, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE CENTER
21 SHALL:

22 (A) MEET THE REQUIREMENTS OF A VERSION OF ANSI/WCMA A100.1-2012 OR ANY
23 SUCCESSOR STANDARD THERETO ADOPTED IN ACCORDANCE WITH ANSI PROCEDURES,
24 INCLUDING STANDARDS FOR:

25 (I) ROMAN SHADES, ROLL-UP SHADES, WOVEN SHADES, AND ALL WINDOW
26 COVERINGS WITH EXPOSED AND UNSECURED CORDS;

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

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1 (II) HORIZONTAL BLINDS, CELLULAR SHADES, AND ALL WINDOW COVERINGS THAT
2 HAVE EXPOSED DRAW CORDS FOR THEIR OPERATION; AND

3 (III) VERTICAL BLINDS AND OTHER WINDOW COVERING PRODUCTS WITH LOOPS
4 UTILIZED IN THEIR OPERATION; OR

5 (B) BE RETROFITTED WITH REPAIR KITS APPROVED BY THE CONSUMER PRODUCT
6 SAFETY COMMISSION FOR DISTRIBUTION TO CONSUMERS BY THE WINDOW COVERING
7 SAFETY COUNCIL.

8 4. IF A PERSON FAILS TO COMPLY WITH THE REQUIREMENTS OF SUBDIVISION
9 THREE OF THIS SECTION, THE AUTHORIZED AGENCY SHALL REQUIRE REPLACEMENT
10 OF EXISTING WINDOW COVERINGS WITH CORDLESS WINDOW COVERINGS THAT MEET
11 THE REQUIREMENTS OF ANSI/WCMA A100.1-2012 OR ANY SUCCESSOR STANDARD
12 THERETO ADOPTED IN ACCORDANCE WITH ANSI PROCEDURES. IN WINDOW APPLICA-
13 TIONS WHERE CORDLESS WINDOW COVERING PRODUCTS ARE EITHER NOT AVAILABLE
14 OR IMPRACTICAL TO OPERATE DUE TO WINDOW SIZE, HEIGHT, OR SHAPE AND DOCU-
15 MENTED IN WRITING BY AT LEAST TWO NEW YORK WINDOW COVERING RETAILERS,
16 THEN NON-CORDLESS WINDOW COVERING PRODUCTS THAT MEET THE REQUIREMENTS OF
17 ANSI/WCMA A100.1-2012 MAY BE ALLOWED.

18 S 2. This act shall take effect October 1, 2014; provided, however
19 that the provisions of subdivision 4 of section 390-aa of the social
20 services law, as added by section one of this act, shall take effect
21 October 1, 2016. Effective immediately, the addition, amendment and/or
22 repeal of any rule or regulation necessary for the implementation of
23 this act on its effective date are authorized and directed to be made
24 and completed on or before such effective date.