

2836

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 20, 2015

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Introduced by M. of A. McDONALD -- read once and referred 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-j to read as follows:  
3     S 390-J. CORDLESS WINDOW COVERINGS REQUIRED. 1. FOR PURPOSES OF THIS  
4     SECTION, THE DEFINITIONS SET FORTH 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 FIFTEEN, 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  
18    FIFTEEN IN ANY AGENCY BOARDING HOME, GROUP HOME, CHILD DAY CARE CENTER,  
19    OR PUBLIC INSTITUTION FOR CHILDREN OR ANY AUTHORIZED AGENCY NOT INCLUDING A  
20    FOSTER HOME, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE  
21    CENTER 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:

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

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

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

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

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

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

20 S 2. This act shall take effect October 1, 2015 provided that subdivi-  
21 sion 4 of section 390-j of the social services law, as added by section  
22 one of this act, shall take effect October 1, 2017. Effective immediate-  
23 ly, the addition, amendment and/or repeal of any rule or regulation  
24 necessary for the implementation of this act on its effective date are  
25 authorized and directed to be made and completed on or before such  
26 effective date.