

STATE OF NEW YORK

2150

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. L. ROSENTHAL, DINOWITZ, GUNTHER, WEPRIN, FAHY --
Multi-Sponsored by -- M. of A. COOK, ENGLEBRIGHT, PERRY -- read once
and referred to the Committee on Children and Families

AN ACT in relation to establishing Brendan's law; and to amend the
social services law, in relation to requiring cordless window
coverings in child day care centers and certain other facilities

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

1 Section 1. This act shall be known and may be cited as "Brendan's
2 Law".

3 § 2. The social services law is amended by adding a new section 390-m
4 to read as follows:

5 § 390-m. Cordless window coverings required. 1. For purposes of this
6 section the following terms shall have the meanings set forth below:

7 (a) "Beaded chain" means a cord with a series of small spheres, typi-
8 cally made of metal or plastic.

9 (b) "Cord loop" means a loop formed by an inner cord that does not
10 diminish in size when the force used to create the loop is removed.

11 (c) "Cordless window covering" means:

12 (i) a horizontal blind or cellular shade that has no draw cord and the
13 internal lift cord runs in the slats of the horizontal blind so that the
14 cord is incapable of forming a loop greater than 4 inches in diameter
15 resulting in a 12-inch maximum circumference;

16 (ii) a Roman shade, roll-up blind, or woven shade that has no draw
17 cord and the lift cord is completely enclosed so that it is not accessi-
18 ble;

19 (iii) a vertical blind that has a wand as its operating mechanism and
20 does not contain any beaded chains, corded pulleys, or other cord loop
21 operating mechanisms; and

22 (iv) a roller shade that does not contain a cord or beaded chain.

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

LBD00337-02-1

1 (d) "Draw cord" means any form of rope, strap, or string used to raise
2 or lower a window covering.

3 (e) "Internal lift cord" means a cord that is contained inside the
4 body and rails of the blind or shade.

5 (f) "Wand" means a rigid material used for manual operation.

6 2. Any child day care center as defined in paragraph (c) of subdivi-
7 sion one of section three hundred ninety of this title or any authorized
8 agency as defined in paragraph (a) of subdivision ten of section three
9 hundred seventy-one of this title including any agency boarding home or
10 group home installing new or replacement window coverings shall install
11 cordless window coverings or window coverings with inaccessible opera-
12 tional and inner cords.

13 3. Any child day care center as defined in paragraph (c) of subdivi-
14 sion one of section three hundred ninety of this title or any authorized
15 agency as defined in paragraph (a) of subdivision ten of section three
16 hundred seventy-one of this title including any agency boarding home or
17 group home that has window coverings in place prior to the effective
18 date of this section, shall meet the requirements of ANSI/WCMA A
19 100.1-2018 or any successor standard thereto, including standards for:

20 (a) Roman shades, roll-up shades, woven shades, and all window
21 coverings with exposed and unsecured cords;

22 (b) horizontal blinds, cellular shades, and all window coverings that
23 have exposed draw cords for their operation; and

24 (c) vertical blinds and other window covering products with loops
25 utilized in their operation.

26 4. If a person fails to comply with the requirements of subdivision
27 three of this section, the authorized agency may require replacement of
28 existing window coverings with cordless window coverings or window
29 coverings with inaccessible operational and inner cords.

30 5. If the installation of a cordless window covering or window cover-
31 ing with inaccessible operational and inner cords is either impossible
32 because such window coverings are unavailable or impracticable due to
33 the window size, height or shape, then non-cordless window covering
34 products that meet the requirements of ANSI A100.1-2018 or any successor
35 standard adopted in accordance with ANSI procedures shall be deemed to
36 meet the requirements of subdivision three of this section, provided
37 that the impossibility or impracticability is documented by at least two
38 people or entities located in this state that engage in the business of
39 selling window treatments.

40 § 3. This act shall take effect twenty-four months after it shall have
41 become a law. Effective immediately, the addition, amendment and/or
42 repeal of any rule or regulation necessary for the implementation of
43 this act on its effective date are authorized to be made and completed
44 on or before such effective date.