

6093

2009-2010 Regular Sessions

I N A S S E M B L Y

February 25, 2009

Introduced by M. of A. SCHROEDER -- read once and referred to the
Committee on Governmental Operations

AN ACT to amend the executive law and the general business law, in
relation to establishing Amanda's law requiring all owners of resi-
dences with appliances, devices or systems emitting carbon monoxide to
purchase and install carbon monoxide detectors when such appliance,
device or system is replaced

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

1 Section 1. Short title. This act shall be known and may be cited as
2 "Amanda's law".
3 S 2. Section 378 of the executive law is amended by adding a new
4 subdivision 5-d to read as follows:
5 5-D. STANDARDS FOR THE INSTALLATION OF CARBON MONOXIDE DETECTORS IN
6 ALL RESIDENCES HAVING APPLIANCES, DEVICES OR SYSTEMS WHICH EMIT CARBON
7 MONOXIDE. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,
8 ALL OWNERS OF RESIDENCES HAVING APPLIANCES, DEVICES OR SYSTEMS WHICH
9 EMIT CARBON MONOXIDE, SHALL PURCHASE AND INSTALL A CARBON MONOXIDE
10 DETECTOR IN SUCH RESIDENCE IF ONE IS NOT ALREADY PRESENT, WHENEVER SUCH
11 APPLIANCE, DEVICE OR SYSTEM IS REPLACED WITH ANOTHER CARBON MONOXIDE
12 EMITTING APPLIANCE, DEVICE OR SYSTEM. ANY CONTRACTOR, OR ANY OTHER
13 PERSON REPLACING AN APPLIANCE, DEVICE OR SYSTEM WHICH EMITS CARBON
14 MONOXIDE, SHALL ALSO INSTALL A CARBON MONOXIDE DETECTOR, IF ONE IS NOT
15 ALREADY PRESENT IN SUCH RESIDENCE, AT THE SAME TIME. FOR PURPOSES OF
16 THIS SUBDIVISION RESIDENCE SHALL INCLUDE ANY DWELLING INCLUDING BUT NOT
17 LIMITED TO SINGLE FAMILY HOMES, TENEMENTS, FLAT HOUSES, MAISONETTE
18 APARTMENTS, APARTMENT HOUSES, APARTMENT HOTELS, TOURIST HOUSES, BACHELOR
19 APARTMENTS, STUDIO APARTMENTS, DUPLEX APARTMENTS, KITCHENETTE APART-
20 MENTS, HOTELS, LODGING HOUSES, ROOMING HOUSES, BOARDING HOUSES, BOARDING
21 AND NURSERY SCHOOLS, FURNISHED ROOM HOUSES, CLUBS, SORORITY HOUSES,

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

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1 FRATERNITY HOUSES, COLLEGES AND SCHOOL DORMITORIES, CONVALESCENT, OLD
2 AGE OR NURSING HOMES OR ANY OTHER RESIDENCES NOT LISTED.

3 S 3. The general business law is amended by adding a new section 399-
4 ss to read as follows:

5 S 399-SS. POSTING OF NOTICE WHEN APPLIANCES, DEVICES OR SYSTEMS WHICH
6 EMIT CARBON MONOXIDE ARE SOLD. 1. IN EACH MERCANTILE ESTABLISHMENT IN
7 THIS STATE WHERE APPLIANCES, DEVICES OR SYSTEMS ARE SOLD, A NOTICE MUST
8 BE POSTED IN A CONSPICUOUS PLACE, AND IN CLOSE PROXIMITY TO ANY APPLI-
9 ANCES, DEVICES OR SYSTEMS DISPLAYED FOR SALE, THAT IN LEGIBLE FORMAT
10 STATES: "THE NEW YORK STATE EXECUTIVE LAW REQUIRES OWNERS OF RESIDENCES
11 TO PURCHASE AND INSTALL CARBON MONOXIDE DETECTORS IF ONE IS NOT ALREADY
12 PRESENT, WHEN REPLACING AN APPLIANCE, DEVICE OR SYSTEM WHICH EMITS
13 CARBON MONOXIDE".

14 2. ANY VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A CIVIL PENAL-
15 TY NOT TO EXCEED ONE HUNDRED DOLLARS.

16 S 4. This act shall take effect on the one hundred eightieth day after
17 it shall have become a law.