

7422--A

Cal. No. 988

I N S E N A T E

May 14, 2012

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the general business law, in relation to certain smoke detecting devices

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

1 Section 1. The general business law is amended by adding a new section
2 399-ccc to read as follows:
3 S 399-CCC. SMOKE DETECTING DEVICES. 1. IT SHALL BE UNLAWFUL FOR ANY
4 PERSON TO DISTRIBUTE, SELL, OFFER FOR SALE, INSTALL OR IMPORT ANY SMOKE
5 DETECTING DEVICE, WHICH IS BATTERY OPERATED AND IS NOT POWERED BY A
6 BATTERY THAT IS NON-REPLACEABLE, NON-REMOVABLE AND CAPABLE OF POWERING
7 SUCH DEVICE FOR A MINIMUM OF TEN YEARS.
8 2. ALL PRODUCT PACKAGING CONTAINING A BATTERY OPERATED SMOKE DETECTING
9 DEVICE SHALL INCLUDE THE FOLLOWING INFORMATION:
10 (A) THE MANUFACTURER'S NAME OR REGISTERED TRADEMARK AND THE MODEL
11 NUMBER OF THE SMOKE DETECTING DEVICE; AND
12 (B) A MINIMUM BATTERY LIFE OF TEN YEARS.
13 3. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO BATTERY OPERATED
14 SMOKE DETECTING DEVICES INSTALLED PRIOR TO THE EFFECTIVE DATE OF THIS
15 SECTION WHICH ARE REMOVED OR RELOCATED TO ANOTHER ROOM OR AREA OF THE
16 SAME BUILDING AFTER THE EFFECTIVE DATE OF THIS SECTION, NOR SHALL THEY
17 APPLY TO BATTERY OPERATED SMOKE DETECTING DEVICES WHICH HAVE BEEN
18 ORDERED BY, OR ARE IN THE INVENTORY OF, OWNERS, MANAGING AGENTS,
19 CONTRACTORS, WHOLESALERS OR RETAILERS ON OR BEFORE THE EFFECTIVE DATE OF
20 THIS SECTION.
21 S 2. This act shall take effect January 1, 2014; provided however,
22 that effective immediately, all actions and procedures with respect to
23 the proposed adoption, amendment, suspension or repeal of any rule or
24 regulation necessary for the timely implementation of this act are
25 directed and authorized to be made and completed on or before such
26 effective date.

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

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