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2011-2012 Regular Sessions

I N A S S E M B L Y

May 11, 2011

Introduced by M. of A. ROSENTHAL, DINOWITZ, GUNTHER, MILLMAN -- Multi-Sponsored by -- M. of A. COOK, ENGLEBRIGHT, MAGEE, McENENY, P. RIVERA -- 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 foster homes, child day care centers and 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-i to read as follows:
3 S 390-I. CORDLESS WINDOW COVERINGS REQUIRED. 1. FOR PURPOSES OF THIS
4 SECTION THE FOLLOWING TERMS SHALL HAVE THE MEANINGS SET FORTH BELOW:
5 (A) "BEADED CHAIN" MEANS A SERIES OF SMALL SPHERES, EQUALLY SPACED ON
6 A CORD OR CONNECTED BY METAL SHAFTS USED TO RAISE AND LOWER A WINDOW
7 COVERING.
8 (B) "CORD LOOP" MEANS A CURVING OR DOUBLING OF A BEADED CHAIN OR CORD
9 TO FORM A CLOSED LOOP.
10 (C) "CORDLESS WINDOW COVERING" MEANS:
11 (I) A HORIZONTAL BLIND OR CELLULAR SHADE THAT HAS NO DRAW CORD AND THE
12 INTERNAL LIFT CORD RUNS IN THE SLATS OF THE HORIZONTAL BLIND SO THAT THE
13 CORD IS INCAPABLE OF FORMING A LOOP GREATER THAN 7.25 INCHES;
14 (II) A ROMAN SHADE, ROLL-UP BLIND, OR WOVEN SHADE THAT HAS NO DRAW
15 CORD AND THE LIFT CORD IS COMPLETELY ENCLOSED SO THAT IT IS NOT ACCESSI-
16 BLE;
17 (III) A VERTICAL BLIND THAT HAS A WAND AS ITS OPERATING MECHANISM AND
18 DOES NOT CONTAIN ANY BEADED CHAINS, CORDED PULLEYS, OR OTHER CORD LOOP
19 OPERATING MECHANISMS; AND
20 (IV) A ROLLER SHADE THAT DOES NOT CONTAIN A CORD OR BEADED CHAIN.
21 (D) "DRAW CORD" MEANS ANY FORM OF ROPE, STRAP, OR STRING USED TO RAISE
22 OR LOWER A WINDOW COVERING.

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

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1 (E) "INTERNAL LIFT CORD" MEANS A CORD THAT IS CONTAINED INSIDE THE
2 BODY AND RAILS OF THE BLIND OR SHADE.

3 (F) "WAND" MEANS A ROD USED TO:

4 (I) ROTATE A VERTICAL BLIND; OR

5 (II) TILT A HORIZONTAL BLIND.

6 2. ANY HOME, AGENCY BOARDING HOME, GROUP HOME, FOSTER HOME, CHILD DAY
7 CARE CENTER, 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 TWELVE, SHALL INSTALL CORDLESS WINDOW COVERINGS.

10 3. ANY HOME, AGENCY BOARDING HOME, GROUP HOME, FOSTER HOME, CHILD DAY
11 CARE CENTER, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE CENTER THAT
12 HAS WINDOW COVERINGS IN PLACE BEFORE OCTOBER FIRST, TWO THOUSAND TWELVE,
13 SHALL MEET MINIMUM SAFETY STANDARDS ESTABLISHED IN REGULATIONS JOINTLY
14 ADOPTED BY THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES AND THE
15 DEPARTMENT OF EDUCATION THAT INCLUDE STANDARDS FOR:

16 (A) ROMAN SHADES, ROLL-UP SHADES, WOVEN SHADES, AND ALL WINDOW
17 COVERINGS WITH EXPOSED AND UNSECURED CORDS;

18 (B) HORIZONTAL BLINDS, CELLULAR SHADES, AND ALL WINDOW COVERINGS THAT
19 HAVE DRAW CORDS FOR THEIR OPERATION; AND

20 (C) VERTICAL BLINDS AND OTHER WINDOW COVERING PRODUCTS WITH LOOPS
21 UTILIZED IN THEIR OPERATION.

22 4. IF A PERSON FAILS TO COMPLY WITH THE REQUIREMENTS OF SUBDIVISION
23 THREE OF THIS SECTION, THE AUTHORIZED AGENCY SHALL REQUIRE REPLACEMENT
24 OF EXISTING WINDOW COVERINGS WITH CORDLESS WINDOW COVERINGS.

25 S 2. This act shall take effect October 1, 2012. Effective immediate-
26 ly, the addition, amendment and/or repeal of any rule or regulation
27 necessary for the implementation of this act on its effective date are
28 authorized and directed to be made and completed on or before such
29 effective date.