S T A T E O F N E W Y O R K

3947--A

2013-2014 Regular Sessions

I N S E N A T E

February 28, 2013

Introduced by Sens. GRISANTI, O'BRIEN -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to regulating heavy metals, magnets and batteries in children's jewelry; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. The public health law is amended by adding a new section 1376-b to read as follows:

S 1376-B. COMPREHENSIVE CHILDREN'S JEWELRY SAFETY ACT. 1. DEFINITIONS. AS USED IN THIS SECTION:

(A) "CHILDREN'S JEWELRY" MEANS JEWELRY DESIGNED OR INTENDED PRIMARILY FOR USE BY CHILDREN TWELVE YEARS OF AGE OR YOUNGER TO BE WORN AS AN ITEM OF PERSONAL ORNAMENTATION, AND DOES NOT INCLUDE:

(I) TOYS OR OTHER PRODUCTS INTENDED FOR USE WHEN A CHILD PLAYS;

(II) ACCESSORIES;

(III) APPAREL;

(IV) FOOTWEAR; OR

(V) ANY OTHER PRODUCT WHOSE PURPOSE IS PRIMARILY FUNCTIONAL AND NOT ORNAMENTAL.

(B) "ASTM F 2923-11" MEANS THE ASTM (AMERICAN SOCIETY FOR TESTING AND MATERIALS) INTERNATIONAL STANDARD SPECIFICATION FOR CONSUMER PRODUCT SAFETY FOR CHILDREN'S JEWELRY IN EFFECT ON JANUARY FIRST, TWO THOUSAND FOURTEEN.

2. REQUIREMENTS. ALL CHILDREN'S JEWELRY MANUFACTURED, SOLD OR DISTRIBUTED IN THE STATE SHALL MEET THE REQUIREMENTS OF ASTM F 2923-11.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law, and shall remain in effect until a supersed-

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

LBD02885-03-3

ing federal standard for children's jewelry takes effect when upon such date this act shall be deemed repealed; provided that the commissioner of health shall notify the legislative bill drafting commission upon the promulgation of any such superseding federal standard for children's jewelry in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.