

812--A

Cal. No. 130

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. ROSENTHAL, DINOWITZ, GUNTHER, MILLMAN, ROBINSON, WEPRIN, BUCHWALD, GIBSON, JAFFEE, ROBERTS, MAISEL -- Multi-Sponsored by -- M. of A. ARROYO, CLARK, COOK, ENGLEBRIGHT, MAGEE, PERRY, SCHIMEL -- read once and referred to the Committee on Children and Families -- reported and referred to the Committee on Codes -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the social services law, in relation to requiring cordless window coverings in child day care centers, public institutions for children and certain 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 COVERINGS" INCLUDE:
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;

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

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1 (III) A VERTICAL BLIND THAT HAS A WAND AS ITS OPERATING MECHANISM AND
2 DOES NOT CONTAIN ANY BEADED CHAINS, CORDED PULLEYS, OR OTHER CORD LOOP
3 OPERATING MECHANISMS; AND

4 (IV) A ROLLER SHADE THAT DOES NOT CONTAIN A CORD OR BEADED CHAIN.

5 (D) "DRAW CORD" MEANS ANY FORM OF ROPE, STRAP, OR STRING USED TO RAISE
6 OR LOWER A WINDOW COVERING.

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

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

10 (I) ROTATE A VERTICAL BLIND; OR

11 (II) TILT A HORIZONTAL BLIND.

12 2. ANY AGENCY BOARDING HOME, GROUP HOME, CHILD DAY CARE CENTER, PUBLIC
13 INSTITUTION FOR CHILDREN, OR ANY AUTHORIZED AGENCY NOT INCLUDING A
14 FOSTER HOME, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE CENTER
15 INSTALLING NEW OR REPLACEMENT WINDOWS SHALL INSTALL CORDLESS WINDOW
16 COVERINGS OR WINDOW COVERINGS WITH INACCESSIBLE OPERATIONAL AND INNER
17 CORDS.

18 3. WINDOW COVERINGS, IN PLACE BEFORE THE EFFECTIVE DATE OF THIS
19 SECTION, IN ANY AGENCY BOARDING HOME, GROUP HOME, CHILD DAY CARE CENTER,
20 OR PUBLIC INSTITUTION FOR CHILDREN OR ANY AUTHORIZED AGENCY NOT INCLUD-
21 ING A FOSTER HOME, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE
22 CENTER SHALL:

23 (A) MEET THE REQUIREMENTS OF ANSI/WCMA A100.1-2012 OR ANY SUCCESSOR
24 STANDARD THERETO ADOPTED IN ACCORDANCE WITH ANSI PROCEDURES, INCLUDING
25 STANDARDS FOR:

26 (I) ROMAN SHADES, ROLL-UP SHADES, WOVEN SHADES, AND ALL WINDOW
27 COVERINGS WITH EXPOSED AND UNSECURED CORDS;

28 (II) HORIZONTAL BLINDS, CELLULAR SHADES, AND ALL WINDOW COVERINGS THAT
29 HAVE EXPOSED DRAW CORDS FOR THEIR OPERATION;

30 (III) VERTICAL BLINDS AND OTHER WINDOW COVERING PRODUCTS WITH LOOPS
31 UTILIZED IN THEIR OPERATION; OR

32 (B) BE RETROFITTED WITH REPAIR KITS APPROVED BY THE CONSUMER PRODUCT
33 SAFETY COMMISSION FOR DISTRIBUTION TO CONSUMERS BY THE WINDOW COVERING
34 SAFETY COUNCIL.

35 4. IF A PERSON FAILS TO COMPLY WITH THE REQUIREMENTS OF SUBDIVISION
36 THREE OF THIS SECTION, ON OR AFTER OCTOBER FIRST, TWO THOUSAND SIXTEEN
37 THE AUTHORIZED AGENCY MAY REQUIRE REPLACEMENT OF EXISTING WINDOW
38 COVERINGS WITH CORDLESS WINDOW COVERINGS OR WINDOW COVERINGS WITH INAC-
39 CESSIBLE OPERATIONAL AND INNER CORDS.

40 S 2. This act shall take effect on the sixtieth day after it shall
41 have become a law; provided that subdivision four of section 390-i of
42 the social services law, as added by section one of this act, shall take
43 effect on October 1, 2016. Effective immediately, the addition, amend-
44 ment and/or repeal of any rule or regulation necessary for the implemen-
45 tation of this act on its effective date is authorized and directed to
46 be made and completed on or before such effective date.