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

7624--A

I N S E N A T E

May 20, 2014

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. The social services law is amended by adding a new section 390-j to read as follows:

S 390-J. CORDLESS WINDOW COVERINGS REQUIRED. 1. FOR PURPOSES OF THIS SECTION, THE DEFINITIONS SET FORTH IN ANSI/WCMA A100.1-2012 SHALL APPLY.

2. ANY AGENCY BOARDING HOME, GROUP HOME, CHILD DAY CARE CENTER, PUBLIC INSTITUTION FOR CHILDREN, OR ANY AUTHORIZED AGENCY NOT INCLUDING A FOSTER HOME, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE CENTER INSTALLING NEW OR REPLACEMENT WINDOW COVERINGS ON OR AFTER OCTOBER FIRST, TWO THOUSAND FOURTEEN, SHALL INSTALL CORDLESS WINDOW COVERINGS THAT MEET THE REQUIREMENTS OF ANSI/WCMA A100.1-2012 OR ANY SUCCESSOR STANDARD THERETO ADOPTED IN ACCORDANCE WITH ANSI PROCEDURES. IN WINDOW APPLICATIONS WHERE CORDLESS WINDOW COVERING PRODUCTS ARE EITHER NOT AVAILABLE OR IMPRACTICAL TO OPERATE DUE TO WINDOW SIZE, HEIGHT, OR SHAPE AND DOCUMENTED IN WRITING BY AT LEAST TWO NEW YORK WINDOW COVERING RETAILERS, THEN NON-CORDLESS WINDOW COVERING PRODUCTS THAT MEET THE REQUIREMENTS OF ANSI/WCMA A100.1-2012 MAY BE ALLOWED.

3. WINDOW COVERINGS IN PLACE BEFORE OCTOBER FIRST, TWO THOUSAND FOURTEEN IN ANY AGENCY BOARDING HOME, GROUP HOME, CHILD DAY CARE CENTER, OR PUBLIC INSTITUTION FOR CHILDREN OR ANY AUTHORIZED AGENCY NOT INCLUDING A FOSTER HOME, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE CENTER SHALL:

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

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

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

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

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

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

4. IF A PERSON FAILS TO COMPLY WITH THE REQUIREMENTS OF SUBDIVISION THREE OF THIS SECTION, THE AUTHORIZED AGENCY MAY REQUIRE REPLACEMENT OF EXISTING WINDOW COVERINGS WITH CORDLESS WINDOW COVERINGS THAT MEET THE REQUIREMENTS OF ANSI/WCMA A100.1-2012 OR ANY SUCCESSOR STANDARD THERETO ADOPTED IN ACCORDANCE WITH ANSI PROCEDURES. IN WINDOW APPLICATIONS WHERE CORDLESS WINDOW COVERING PRODUCTS ARE EITHER NOT AVAILABLE OR IMPRACTICAL TO OPERATE DUE TO WINDOW SIZE, HEIGHT, OR SHAPE AND DOCUMENTED IN WRITING BY AT LEAST TWO NEW YORK WINDOW COVERING RETAILERS, THEN NON-CORDLESS WINDOW COVERING PRODUCTS THAT MEET THE REQUIREMENTS OF ANSI/WCMA A100.1-2012 MAY BE ALLOWED.

S 2. This act shall take effect October 1, 2014 provided that subdivision 4 of section 390-j of the social services law, as added by section one of this act, shall take effect October 1, 2016. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.