

270--B

2015-2016 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2015

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Introduced by M. of A. BUCHWALD, JAFFEE, LINARES, KAVANAGH, GALEF, OTIS, PAULIN, MAYER, LAVINE, ZEBROWSKI, SIMON, SALADINO, McDONOUGH, RA, GOTTFRIED, CAHILL, COLTON, SKOUFIS, RODRIGUEZ, ROZIC, ORTIZ, BRONSON, MARKEY, BENEDETTO, HEVESI, MILLER, BRABENEC, ABBATE, PERRY, MOYA, FITZPATRICK, CURRAN, WOZNIAK, BRINDISI, SANTABARBARA -- Multi-Sponsored by -- M. of A. CRESPO, CROUCH, DenDEKKER, DUPREY, ENGLEBRIGHT, GLICK, LAWRENCE, RAMOS -- read once and referred to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to licenses to purchase, use, or store certain compounds

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

1     Section 1. Section 465 of the labor law is renumbered section 466 and  
2     a new section 465 is added to read as follows:  
3     S 465. LICENSE TO STORE OR USE CERTAIN COMPOUNDS. 1. NO PERSON SHALL  
4     BE PERMITTED TO PURCHASE, USE, OR STORE ANY TWO OR MORE COMPONENTS THAT  
5     ARE ADVERTISED AND SOLD TOGETHER WITH INSTRUCTIONS ON HOW TO COMBINE THE  
6     COMPONENTS TO CREATE ANY DEVICE DESIGNED OR SPECIALLY ADAPTED TO FACILI-  
7     TATE A DETONATION OR COMBUSTION UNLESS A CERTIFICATE THEREFOR SHALL HAVE  
8     BEEN ISSUED BY THE COMMISSIONER AS PROVIDED IN THIS SECTION.  
9     APPLICATION FOR SUCH A CERTIFICATE SHALL BE MADE TO THE COMMISSIONER  
10    ON FORMS PROVIDED AND SHALL CONTAIN SUCH INFORMATION AS THE COMMISSIONER  
11    MAY REQUIRE. THE COMMISSIONER, WHERE IT IS FOUND THAT THE APPLICANT HAS  
12    COMPLIED WITH THE REQUIREMENTS OF THIS ARTICLE AND THE RULES PROMULGATED  
13    HEREUNDER SHALL ISSUE A CERTIFICATE OR A RENEWAL THEREOF, WHICH SHALL BE

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

LBD00086-06-6

1 VALID FOR NOT LESS THAN ONE YEAR FROM THE DATE OF ISSUANCE. IN ADDITION  
2 TO ANY OTHER CAUSES FOR REVOCATION OF A CERTIFICATE HEREINAFTER  
3 PROVIDED, THE COMMISSIONER MAY REVOKE OR MODIFY SUCH CERTIFICATE BECAUSE  
4 OF ANY CHANGE IN THE CONDITIONS UNDER WHICH IT WAS GRANTED OR FOR FAIL-  
5 URE TO PAY THE REQUIRED FEE. THE APPLICANT SHALL PAY TO THE COMMISSIONER  
6 A FEE OF NOT LESS THAN FIFTY DOLLARS.

7 2. BEFORE A CERTIFICATE IS ISSUED, THE COMMISSIONER SHALL INVESTIGATE  
8 THE ELIGIBILITY OF THE APPLICANT. THE COMMISSIONER SHALL HAVE THE  
9 AUTHORITY TO REQUEST AND RECEIVE FROM ANY DEPARTMENT, DIVISION, BOARD,  
10 BUREAU, COMMISSION OR AGENCY OF THE STATE OR LOCAL GOVERNMENT THEREOF  
11 SUCH ASSISTANCE AND INFORMATION AS WILL ENABLE THE COMMISSIONER TO PROP-  
12 ERLY AND EFFECTIVELY CARRY OUT THE POWERS AND DUTIES UNDER THIS ARTICLE.

13 3. ANY TWO OR MORE COMPONENTS THAT ARE ADVERTISED AND SOLD TOGETHER  
14 WITH INSTRUCTIONS ON HOW TO COMBINE THE COMPONENTS TO CREATE ANY DEVICE  
15 DESIGNED OR SPECIALLY ADAPTED TO FACILITATE A DETONATION OR COMBUSTION  
16 SHALL NOT BE SOLD OR DELIVERED TO ANY INDIVIDUAL UNDER EIGHTEEN YEARS OF  
17 AGE, WHETHER SUCH INDIVIDUAL IS ACTING FOR HIMSELF, HERSELF OR FOR  
18 ANOTHER PERSON, NOR SHALL ANY SUCH INDIVIDUAL BE ELIGIBLE TO OBTAIN ANY  
19 CERTIFICATE REQUIRED UNDER THIS SECTION.

20 S 2. This act shall take effect immediately.