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

270--B

2015-2016 Regular Sessions

I N  A S S E M B L Y

(PREFILED)

January 7, 2015

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:

Section 1. Section 465 of the labor law is renumbered section 466 and a new section 465 is added to read as follows:

S 465. LICENSE TO STORE OR USE CERTAIN COMPOUNDS. 1. NO PERSON SHALL BE PERMITTED TO PURCHASE, USE, OR STORE ANY TWO OR MORE COMPONENTS THAT ARE ADVERTISED AND SOLD TOGETHER WITH INSTRUCTIONS ON HOW TO COMBINE THE COMPONENTS TO CREATE ANY DEVICE DESIGNED OR SPECIALLY ADAPTED TO FACILITATE A DETONATION OR COMBUSTION UNLESS A CERTIFICATE THEREFOR SHALL HAVE BEEN ISSUED BY THE COMMISSIONER AS PROVIDED IN THIS SECTION.

APPLICATION FOR SUCH A CERTIFICATE SHALL BE MADE TO THE COMMISSIONER ON FORMS PROVIDED AND SHALL CONTAIN SUCH INFORMATION AS THE COMMISSIONER MAY REQUIRE. THE COMMISSIONER, WHERE IT IS FOUND THAT THE APPLICANT HAS COMPLIED WITH THE REQUIREMENTS OF THIS ARTICLE AND THE RULES PROMULGATED 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

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

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

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

S 2. This act shall take effect immediately.