

432--A

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- recommitted to the Committee on Children and Families 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 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-j to read as follows:
3 S 390-J. CORDLESS WINDOW COVERINGS REQUIRED. 1. FOR PURPOSES OF THIS
4 SECTION, THE DEFINITIONS SET FORTH IN ANSI/WCMA A100.1-2012 SHALL APPLY.
5 2. ANY AGENCY BOARDING HOME, GROUP HOME, CHILD DAY CARE CENTER, PUBLIC
6 INSTITUTION FOR CHILDREN, OR ANY AUTHORIZED AGENCY NOT INCLUDING A
7 FOSTER HOME, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE CENTER
8 INSTALLING NEW OR REPLACEMENT WINDOW COVERINGS ON OR AFTER OCTOBER
9 FIRST, TWO THOUSAND SIXTEEN, SHALL INSTALL CORDLESS WINDOW COVERINGS
10 THAT MEET THE REQUIREMENTS OF ANSI/WCMA A100.1-2012 OR ANY SUCCESSOR
11 STANDARD THERETO ADOPTED IN ACCORDANCE WITH ANSI PROCEDURES. IN WINDOW
12 APPLICATIONS WHERE CORDLESS WINDOW COVERING PRODUCTS ARE EITHER NOT
13 AVAILABLE OR IMPRACTICAL TO OPERATE DUE TO WINDOW SIZE, HEIGHT, OR SHAPE
14 AND DOCUMENTED IN WRITING BY AT LEAST TWO NEW YORK WINDOW COVERING
15 RETAILERS, THEN NON-CORDLESS WINDOW COVERING PRODUCTS THAT MEET THE
16 REQUIREMENTS OF ANSI/WCMA A100.1-2012 MAY BE ALLOWED.
17 3. WINDOW COVERINGS IN PLACE BEFORE OCTOBER FIRST, TWO THOUSAND
18 SIXTEEN IN ANY AGENCY BOARDING HOME, GROUP HOME, CHILD DAY CARE CENTER,
19 OR PUBLIC INSTITUTION FOR CHILDREN OR ANY AUTHORIZED AGENCY NOT INCLUD-

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

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1 ING A FOSTER HOME, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE
2 CENTER SHALL:

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

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

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

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

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

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

25 S 2. This act shall take effect October 1, 2016 provided that subdivi-
26 sion 4 of section 390-j of the social services law, as added by section
27 one of this act, shall take effect October 1, 2018. Effective immediate-
28 ly, the addition, amendment and/or repeal of any rule or regulation
29 necessary for the implementation of this act on its effective date are
30 authorized and directed to be made and completed on or before such
31 effective date.