

405

2015-2016 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2015

Introduced by M. of A. ROSENTHAL, DINOWITZ, GUNTHER, ROBINSON, WEPRIN, BUCHWALD, JAFFEE, ROBERTS -- Multi-Sponsored by -- M. of A. ARROYO, CLARK, COOK, ENGLEBRIGHT, MAGEE, PERRY, SCHIMEL -- read once and referred to the Committee on Children and Families

AN ACT in relation to establishing Brendan's law; and 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. This act shall be known and may be cited as "Brendan's
2 Law".
3 S 2. The social services law is amended by adding a new section 390-j
4 to read as follows:
5 S 390-J. CORDLESS WINDOW COVERINGS REQUIRED. 1. FOR PURPOSES OF THIS
6 SECTION THE FOLLOWING TERMS SHALL HAVE THE MEANINGS SET FORTH BELOW:
7 (A) "BEADED CHAIN" MEANS A SERIES OF SMALL SPHERES, EQUALLY SPACED ON
8 A CORD OR CONNECTED BY METAL SHAFTS USED TO RAISE AND LOWER A WINDOW
9 COVERING.
10 (B) "CORD LOOP" MEANS A CURVING OR DOUBLING OF A BEADED CHAIN OR CORD
11 TO FORM A CLOSED LOOP.
12 (C) "CORDLESS WINDOW COVERING" MEANS:
13 (I) A HORIZONTAL BLIND OR CELLULAR SHADE THAT HAS NO DRAW CORD AND THE
14 INTERNAL LIFT CORD RUNS IN THE SLATS OF THE HORIZONTAL BLIND SO THAT THE
15 CORD IS INCAPABLE OF FORMING A LOOP GREATER THAN 7.25 INCHES;
16 (II) A ROMAN SHADE, ROLL-UP BLIND, OR WOVEN SHADE THAT HAS NO DRAW
17 CORD AND THE LIFT CORD IS COMPLETELY ENCLOSED SO THAT IT IS NOT ACCESSI-
18 BLE;

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

LBD04116-01-5

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 WINDOW COVERINGS ON OR AFTER OCTOBER
16 FIRST, TWO THOUSAND NINETEEN, SHALL INSTALL CORDLESS WINDOW COVERINGS OR
17 WINDOW COVERINGS WITH INACCESSIBLE OPERATIONAL AND INNER CORDS.

18 3. ANY AGENCY BOARDING HOME, GROUP HOME, CHILD DAY CARE CENTER, OR
19 PUBLIC INSTITUTION FOR CHILDREN OR ANY AUTHORIZED AGENCY NOT INCLUDING A
20 FOSTER HOME, FAMILY DAY CARE CENTER OR GROUP FAMILY DAY CARE CENTER THAT
21 HAS WINDOW COVERINGS IN PLACE BEFORE OCTOBER FIRST, TWO THOUSAND NINE-
22 TEEN, SHALL MEET MINIMUM SAFETY STANDARDS ESTABLISHED IN REGULATIONS
23 JOINTLY ADOPTED BY THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES AND
24 THE DEPARTMENT OF EDUCATION THAT INCLUDE STANDARDS FOR:

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

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

29 (C) VERTICAL BLINDS AND OTHER WINDOW COVERING PRODUCTS WITH LOOPS
30 UTILIZED IN THEIR OPERATION.

31 4. IF A PERSON FAILS TO COMPLY WITH THE REQUIREMENTS OF SUBDIVISION
32 THREE OF THIS SECTION, THE AUTHORIZED AGENCY MAY REQUIRE REPLACEMENT OF
33 EXISTING WINDOW COVERINGS WITH CORDLESS WINDOW COVERINGS OR WINDOW
34 COVERINGS WITH INACCESSIBLE OPERATIONAL AND INNER CORDS.

35 S 3. This act shall take effect twenty-four months after it shall have
36 become a law. Effective immediately, the addition, amendment and/or
37 repeal of any rule or regulation necessary for the implementation of
38 this act on its effective date are authorized and directed to be made
39 and completed on or before such effective date.