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

9207

I N A S S E M B L Y

February 3, 2016

Introduced by M. of A. MORELLE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the general business law, in relation to certain smoke detecting devices; and to amend a chapter of the laws of 2015 amending the general business law relating to certain smoke detecting devices, as proposed in legislative bills numbers S.2696-A and A.3057-A, in relation to the effectiveness of such chapter

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

Section 1. Section 399-ccc of the general business law, as added by a chapter of the laws of 2015, amending the general business law relating to certain smoke detecting devices, as proposed in legislative bills numbers S. 2696-A and A. 3057-A, is amended to read as follows:

S 399-ccc. Smoke detecting devices. 1. It shall be unlawful for any person or entity to distribute, sell, offer for sale, or import any solely battery operated smoke detecting alarm device powered by a replaceable, removable battery [not capable of powering such device for a minimum of ten years]. ALL SOLELY BATTERY OPERATED SMOKE DETECTING ALARM DEVICES THAT ARE DISTRIBUTED, SOLD, OFFERED FOR SALE, OR IMPORTED, SHALL EMPLOY A NON-REMOVABLE, NON-REPLACEABLE BATTERY THAT POWERS THE DEVICE FOR A MINIMUM OF TEN YEARS.

2. All product packaging containing a solely battery operated smoke detecting alarm device shall include the following information:

(a) the manufacturer's name or registered trademark and the model number of the smoke detecting alarm device; and

(b) that such alarm device is designed to have a minimum battery life of ten years.

3. The provisions of this section shall not apply to solely battery operated smoke detecting alarm [device] DEVICES powered by a replaceable, removable battery [not capable of powering such device for a minimum of ten years which] THAT have been ordered by, or are in the inventory of, owners, managing agents, contractors, wholesalers or retailers on or before the effective date of this section. The provisions of this section shall not apply to smoke detecting alarm devices [which] THAT

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

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receive their power from the electrical system of the building, fire alarm systems with smoke detectors, fire alarm devices that connect to a panel, [or other] devices that use a low-power radio frequency wireless communication signal, OR SUCH OTHER DEVICES AS THE STATE FIRE ADMINISTRATOR SHALL DESIGNATE THROUGH ITS REGULATORY PROCESS.

S 2. Section 2 of a chapter of the laws of 2015, amending the general business law relating to certain smoke detecting devices, as proposed in legislative bills numbers S.2696-A and A.3057-A, is amended to read as follows:

S 2. This act shall take effect [January] APRIL 1, [2017] 2019; provided however, that effective immediately, all actions and procedures with respect to the proposed adoption, amendment, suspension or repeal of any rule or regulation necessary for the timely implementation of this act are [directed and] authorized to be made [and completed] on or before such effective date.

S 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2015, amending the general business law relating to certain smoke detecting devices, as proposed in legislative bills numbers S. 2696-A and A. 3057-A, takes effect.