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

2696--A

2015-2016 Regular Sessions

I N S E N A T E

January 28, 2015

Introduced by Sens. FLANAGAN, MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to certain smoke detecting devices

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

Section 1. The general business law is amended by adding a new section 399-ccc 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.

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 POWERED BY A REPLACEABLE, REMOVABLE BATTERY NOT CAPABLE OF POWERING SUCH DEVICE FOR A MINIMUM OF TEN YEARS WHICH 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 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.

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

LBD04737-04-5

S 2. This act shall take effect January 1, 2017; 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.