

5276--A

Cal. No. 321

2015-2016 Regular Sessions

I N S E N A T E

May 12, 2015

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

1 Section 1. Section 465 of the labor law is renumbered section 466 and
2 a new section 465 is added to read as follows:
3 S 465. LICENSE TO STORE OR USE CERTAIN COMPOUNDS. 1. NO PERSON SHALL
4 BE PERMITTED TO PURCHASE, USE, OR STORE ANY TWO OR MORE COMPONENTS THAT
5 ARE ADVERTISED AND SOLD TOGETHER WITH INSTRUCTIONS ON HOW TO COMBINE THE
6 COMPONENTS TO CREATE ANY DEVICE DESIGNED OR SPECIALLY ADAPTED TO FACILI-
7 TATE A DETONATION OR COMBUSTION UNLESS A CERTIFICATE THEREFOR SHALL HAVE
8 BEEN ISSUED BY THE COMMISSIONER AS PROVIDED IN THIS SECTION.
9 APPLICATION FOR SUCH A CERTIFICATE SHALL BE MADE TO THE COMMISSIONER
10 ON FORMS PROVIDED AND SHALL CONTAIN SUCH INFORMATION AS THE COMMISSIONER
11 MAY REQUIRE. THE COMMISSIONER, WHERE IT IS FOUND THAT THE APPLICANT HAS
12 COMPLIED WITH THE REQUIREMENTS OF THIS ARTICLE AND THE RULES PROMULGATED
13 HEREUNDER SHALL ISSUE A CERTIFICATE OR A RENEWAL THEREOF, WHICH SHALL BE
14 VALID FOR NOT LESS THAN ONE YEAR FROM THE DATE OF ISSUANCE. IN ADDITION
15 TO ANY OTHER CAUSES FOR REVOCATION OF A CERTIFICATE HEREINAFTER
16 PROVIDED, THE COMMISSIONER MAY REVOKE OR MODIFY SUCH CERTIFICATE BECAUSE
17 OF ANY CHANGE IN THE CONDITIONS UNDER WHICH IT WAS GRANTED OR FOR FAIL-
18 URE TO PAY THE REQUIRED FEE. THE APPLICANT SHALL PAY TO THE COMMISSIONER
19 A FEE OF NOT LESS THAN FIFTY DOLLARS.
20 2. BEFORE A CERTIFICATE IS ISSUED, THE COMMISSIONER SHALL INVESTIGATE
21 THE ELIGIBILITY OF THE APPLICANT. THE COMMISSIONER SHALL HAVE THE

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

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1 AUTHORITY TO REQUEST AND RECEIVE FROM ANY DEPARTMENT, DIVISION, BOARD,
2 BUREAU, COMMISSION OR AGENCY OF THE STATE OR LOCAL GOVERNMENT THEREOF
3 SUCH ASSISTANCE AND INFORMATION AS WILL ENABLE THE COMMISSIONER TO PROP-
4 ERLY AND EFFECTIVELY CARRY OUT THE POWERS AND DUTIES UNDER THIS ARTICLE.

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

12 S 2. This act shall take effect immediately.