

6383

I N S E N A T E

January 8, 2016

Introduced by Sen. FLANAGAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to certain smoke detecting devices; and to amend chapter 583 of the laws of 2015 amending the general business law relating to certain smoke detecting devices, 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:

1 Section 1. Section 399-ccc of the general business law, as added by
2 chapter 583 of the laws of 2015, is amended to read as follows:
3 S 399-ccc. Smoke detecting devices. 1. It shall be unlawful for any
4 person or entity to distribute, sell, offer for sale, or import any
5 solely battery operated smoke detecting alarm device powered by a
6 replaceable, removable battery [not capable of powering such device for
7 a minimum of ten years]. ALL SOLELY BATTERY OPERATED SMOKE DETECTING
8 ALARM DEVICES THAT ARE DISTRIBUTED, SOLD, OFFERED FOR SALE, OR IMPORTED,
9 SHALL EMPLOY A NON-REMOVABLE, NON-REPLACEABLE BATTERY THAT POWERS THE
10 DEVICE FOR A MINIMUM OF TEN YEARS.
11 2. All product packaging containing a solely battery operated smoke
12 detecting alarm device shall include the following information:
13 (a) the manufacturer's name or registered trademark and the model
14 number of the smoke detecting alarm device; and
15 (b) that such alarm device is designed to have a minimum battery life
16 of ten years.
17 3. The provisions of this section shall not apply to solely battery
18 operated smoke detecting alarm [device] DEVICES powered by a replacea-
19 ble, removable battery [not capable of powering such device for a mini-
20 mum of ten years which] THAT have been ordered by, or are in the inven-
21 tory of, owners, managing agents, contractors, wholesalers or retailers
22 on or before the effective date of this section. The provisions of this
23 section shall not apply to smoke detecting alarm devices [which] THAT
24 receive their power from the electrical system of the building, fire
25 alarm systems with smoke detectors, fire alarm devices that connect to a
26 panel, [or other] devices that use a low-power radio frequency wireless

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

LBD04737-05-6

1 communication signal, OR SUCH OTHER DEVICES AS THE STATE FIRE ADMINIS-
2 TRATOR SHALL DESIGNATE THROUGH ITS REGULATORY PROCESS.

3 S 2. Section 2 of chapter 583 of the laws of 2015, amending the gener-
4 al business law relating to certain smoke detecting devices, is amended
5 to read as follows:

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

12 S 3. This act shall take effect on the same date and in the same
13 manner as chapter 583 of the laws of 2015, amending the general business
14 law relating to certain smoke detecting devices, takes effect.