

4465

2017-2018 Regular Sessions

I N S E N A T E

February 15, 2017

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

AN ACT to amend the public health law, in relation to the manufacture and sale of seasonal and decorative lighting products containing lead

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

1 Section 1. The public health law is amended by adding a new section  
2 1376-b to read as follows:

3 § 1376-B. MANUFACTURE AND SALE OF SEASONAL AND DECORATIVE LIGHTING  
4 PRODUCTS CONTAINING LEAD. 1. WHEN USED IN THIS TITLE, "SEASONAL AND  
5 DECORATIVE LIGHTING PRODUCT" SHALL MEAN PORTABLE, PLUG-CONNECTED, TEMPO-  
6 RARY-USE LIGHTING PRODUCTS AND ACCESSORIES THAT HAVE A NOMINAL 120-VOLT  
7 INPUT VOLTAGE RATING.

8 (A) LIGHTING PRODUCTS WITHIN THE SCOPE OF THIS RULE ARE FACTORY-ASSEM-  
9 BLED WITH PUSH-IN, MIDGET- OR MINIATURE- SCREW BASE LAMP HOLDERS  
10 CONNECTED IN SERIES OR PARALLEL, DIRECTLY ACROSS THE 120-VOLT INPUT.

11 (B) SUCH LIGHTING PRODUCTS INCLUDE, BUT ARE NOT LIMITED TO LIGHTED  
12 DECORATIVE OUTFITS SUCH AS WIRED HOLIDAY STRING LIGHTS, PRE-LIT ARTIFI-  
13 CIAL CHRISTMAS TREES, PLANTS, FLOWERS OR WREATHES, STOCKINGS, STARS,  
14 CANDLES AND LIGHT SCULPTURES.

15 2. ON EACH SEASONAL AND DECORATIVE LIGHTING PRODUCT MANUFACTURED, SOLD  
16 OR DELIVERED BY A MANUFACTURER OR DISTRIBUTED WITHIN THIS STATE THAT  
17 CONTAINS AN ELECTRICAL CORD CASING MADE WITH POLYVINYL CHLORIDE IN WHICH  
18 LEAD IS USED AS A FIRE-RETARDANT AND STABILIZER, THERE SHALL BE PRINTED  
19 THEREON OR ATTACHED THERETO A WARNING LABEL.

20 3. SUCH WARNING LABEL SHALL CONTAIN THE FOLLOWING STATEMENT: "WARNING:  
21 HANDLING THE COATED ELECTRICAL WIRE OF THIS PRODUCT MAY EXPOSE YOU TO  
22 LEAD. WASH HANDS THOROUGHLY AFTER USE."

23 4. ANY PERSON, FIRM, CORPORATION OR ASSOCIATION WHO VIOLATES THIS  
24 SECTION SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN ONE THOU-  
25 SAND DOLLARS FOR EACH SUCH VIOLATION.

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

LBD06761-02-7

1 5. THE COMMISSIONER MAY WAIVE THE PROVISIONS OF THIS SECTION IN WHOLE  
2 OR IN PART UPON FINDING BY THE COMMISSIONER IN A PARTICULAR INSTANCE  
3 THAT THERE IS NO SIGNIFICANT THREAT TO PUBLIC HEALTH.  
4 § 2. This act shall take effect on the ninetieth day after it shall  
5 have become law.