STATE OF NEW YORK

4465

2017-2018 Regular Sessions

IN SENATE

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:

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

§ 1376-b. Manufacture and sale of seasonal and decorative lighting products containing lead. 1. When used in this title, "seasonal and decorative lighting product" shall mean portable, plug-connected, temporary-use lighting products and accessories that have a nominal 120-volt input voltage rating.

(a) Lighting products within the scope of this rule are factory-assembled with push-in, midget- or miniature- screw base lamp holders connected in series or parallel, directly across the 120-volt input.

(b) Such lighting products include, but are not limited to lighted decorative outfits such as wired holiday string lights, pre-lit artificial Christmas trees, plants, flowers or wreathes, stockings, stars, candles and light sculptures.

2. On each seasonal and decorative lighting product manufactured, sold or delivered by a manufacturer or distributed within this state that contains an electrical cord casing made with polyvinyl chloride in which lead is used as a fire-retardant and stabilizer, there shall be printed thereon or attached thereto a warning label.

3. Such warning label shall contain the following statement: "WARNING: HANDLING THE COATED ELECTRICAL WIRE OF THIS PRODUCT MAY EXPOSE YOU TO LEAD. WASH HANDS THOROUGHLY AFTER USE."

4. Any person, firm, corporation or association who violates this section shall be subject to a civil penalty of not more than one thousand dollars for each such violation.

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

LBD06761-02-7

5. The commissioner may waive the provisions of this section in whole or in part upon finding by the commissioner in a particular instance that there is no significant threat to public health.

§ 2. This act shall take effect on the ninetieth day after it shall have become law.