

# STATE OF NEW YORK

320--A

2017-2018 Regular Sessions

## IN ASSEMBLY

January 5, 2017

Introduced by M. of A. L. ROSENTHAL, DINOWITZ, GUNTHER, WEPRIN, BUCHWALD, JAFFEE, FAHY, SEPULVEDA -- Multi-Sponsored by -- M. of A. ARROYO, COOK, ENGLEBRIGHT, MAGEE, PERRY -- read once and referred to the Committee on Children and Families -- reported and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to establishing Brendan's law; and to amend the social services law, in relation to requiring cordless window coverings in child day care centers, public institutions for children and certain other facilities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as "Brendan's  
2 Law".

3 § 2. The social services law is amended by adding a new section 390-1  
4 to read as follows:

5 § 390-1. Cordless window coverings required. 1. For purposes of this  
6 section the following terms shall have the meanings set forth below:

7 (a) "Beaded chain" means a series of small spheres, equally spaced on  
8 a cord or connected by metal shafts used to raise and lower a window  
9 covering.

10 (b) "Cord loop" means a curving or doubling of a beaded chain or cord  
11 to form a closed loop.

12 (c) "Cordless window covering" means:

13 (i) a horizontal blind or cellular shade that has no draw cord and the  
14 internal lift cord runs in the slats of the horizontal blind so that the  
15 cord is incapable of forming a loop greater than 7.25 inches;

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

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1 (ii) a Roman shade, roll-up blind, or woven shade that has no draw  
2 cord and the lift cord is completely enclosed so that it is not accessi-  
3 ble;

4 (iii) a vertical blind that has a wand as its operating mechanism and  
5 does not contain any beaded chains, corded pulleys, or other cord loop  
6 operating mechanisms; and

7 (iv) a roller shade that does not contain a cord or beaded chain.

8 (d) "Draw cord" means any form of rope, strap, or string used to raise  
9 or lower a window covering.

10 (e) "Internal lift cord" means a cord that is contained inside the  
11 body and rails of the blind or shade.

12 (f) "Wand" means a rod used to:

13 (i) rotate a vertical blind; or

14 (ii) tilt a horizontal blind.

15 2. Any agency boarding home, group home, child day care center, public  
16 institution for children, or any authorized agency not including a  
17 foster home, family day care center or group family day care center  
18 installing new or replacement window coverings shall install cordless  
19 window coverings or window coverings with inaccessible operational and  
20 inner cords.

21 3. Any agency boarding home, group home, child day care center, or  
22 public institution for children or any authorized agency not including a  
23 foster home, family day care center or group family day care center that  
24 has window coverings in place prior to the effective date of this  
25 section, shall meet the requirements of ANSI/WCMA A 100.1-2012 or any  
26 successor standard thereto, including standards for:

27 (a) Roman shades, roll-up shades, woven shades, and all window  
28 coverings with exposed and unsecured cords;

29 (b) horizontal blinds, cellular shades, and all window coverings that  
30 have draw cords for their operation; and

31 (c) vertical blinds and other window covering products with loops  
32 utilized in their operation.

33 4. If a person fails to comply with the requirements of subdivision  
34 three of this section, the authorized agency may require replacement of  
35 existing window coverings with cordless window coverings or window  
36 coverings with inaccessible operational and inner cords.

37 § 3. This act shall take effect twenty-four months after it shall have  
38 become a law. Effective immediately, the addition, amendment and/or  
39 repeal of any rule or regulation necessary for the implementation of  
40 this act on its effective date are authorized and directed to be made  
41 and completed on or before such effective date.