

# STATE OF NEW YORK

3186

2019-2020 Regular Sessions

## IN SENATE

February 4, 2019

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

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;

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

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

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

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

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

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

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

6 (i) rotate a vertical blind; or

7 (ii) tilt a horizontal blind.

8 2. Any agency boarding home, group home, child day care center, public  
9 institution for children, or any authorized agency not including a  
10 foster home, family day care center or group family day care center  
11 installing new or replacement window coverings shall install cordless  
12 window coverings or window coverings with inaccessible operational and  
13 inner cords.

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

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

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

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

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

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