

STATE OF NEW YORK

3563--A

2019-2020 Regular Sessions

IN SENATE

February 8, 2019

Introduced by Sens. SERRANO, KENNEDY, MONTGOMERY -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to requiring the anchoring of furniture and electronics in child day care centers and certain other facilities

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

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

3 § 390-1. Securing of furniture. 1. This section shall apply to any
4 child day care center as defined in paragraph (c) of subdivision one of
5 section three hundred ninety of this title, or any authorized agency as
6 defined in paragraph (a) of subdivision ten of section three hundred
7 seventy-one of this title, including any agency boarding home or group
8 home.

9 2. Any facility to which this section applies shall take measures to
10 securely anchor to the floors or walls of such facility all items of
11 large furniture and all electronic appliances capable of being tipped
12 over due to design, height, weight, stability or other features, using
13 angle-braces, anchors or other anchoring devices. Any item of furniture
14 or electronic device which cannot be so anchored shall be removed from
15 the facility.

16 3. If a violation of the provisions of this section is discovered by
17 the office of children and family services or any local social services
18 district authorized to inspect the facility at which the violation
19 occurs, the agency discovering the violation shall provide written
20 notice of the violation to the operator of the facility and to the
21 office of children and family services if such office is not the
22 inspecting agency within ten calendar days of the discovery of the

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

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1 violation. The operator of the facility shall correct the violation
2 immediately, upon notice. If the violation is not corrected, the office
3 of children and family services may take enforcement action in accord-
4 ance with the applicable sections of state law.

5 § 2. This act shall take effect on the one hundred eightieth day after
6 it shall have become a law. Effective immediately, the addition, amend-
7 ment and/or repeal of any rule or regulation necessary for the implemen-
8 tation of this act on its effective date are authorized and directed to
9 be made and completed on or before such effective date.