STATE OF NEW YORK

4522--A

Cal. No. 315

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

Introduced by M. of A. GALEF, L. ROSENTHAL, ENGLEBRIGHT, WEPRIN, SEAWRIGHT, COLTON -- read once and referred to the Committee on Consumer Affairs and Protection -- reported and referred to the Committee on Codes -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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 wreaths, 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 in which lead is present in a quantity greater than one hundred parts per million, there shall be printed thereon or attached thereto a warning label.

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

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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.

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 a law.