

STATE OF NEW YORK

6900

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

Introduced by Sen. BRISPORT -- 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 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-m
4 to read as follows:

5 § 390-m. 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 cord with a series of small spheres, typi-
8 cally made of metal or plastic.

9 (b) "Cord loop" means a loop formed by an inner cord that does not
10 diminish in size when the force used to create the loop is removed.

11 (c) "Cordless window covering" means:

12 (i) a horizontal blind or cellular shade that has no draw cord and the
13 internal lift cord runs in the slats of the horizontal blind so that the
14 cord is incapable of forming a loop greater than 4 inches in diameter
15 resulting in a 12-inch maximum circumference;

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.

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

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

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

3 (f) "Wand" means a rigid material used for manual operation.

4 2. Any child day care center as defined in paragraph (c) of subdivi-
5 sion one of section three hundred ninety of this title or any authorized
6 agency as defined in paragraph (a) of subdivision ten of section three
7 hundred seventy-one of this title including any agency boarding home or
8 group home installing new or replacement window coverings shall install
9 cordless window coverings or window coverings with inaccessible opera-
10 tional and inner cords.

11 3. Any child day care center as defined in paragraph (c) of subdivi-
12 sion one of section three hundred ninety of this title or any authorized
13 agency as defined in paragraph (a) of subdivision ten of section three
14 hundred seventy-one of this title including any agency boarding home or
15 group home that has window coverings in place prior to the effective
16 date of this section, shall meet the requirements of ANSI/WCMA A
17 100.1-2018 or any successor standard thereto, including standards for:

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

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

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

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

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