# STATE OF NEW YORK

830

2023-2024 Regular Sessions

# IN SENATE

January 6, 2023

Introduced by Sen. BRISPORT -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the social services law, in relation to window coverings required in child day care centers

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

Section 1. Section 390-m of the social services law, as added by a chapter of the laws of 2022 relating to establishing Brendan's law; and amending the social services law relating to requiring cordless window coverings in child day care centers and certain other facilities, as proposed in legislative bills numbers S. 6900 and A. 2150-A, is amended to read as follows:

§ 390-m. [~~Cordless window~~] Window coverings [~~required~~]. 1. For purposes of this section the following terms shall have the meanings set forth below:

(a) "Beaded chain" means a cord with a series of small spheres, typically made of metal or plastic.

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

(c) "Cordless window covering" means:

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

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

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

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

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

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

2. Any child day care center as defined in paragraph (c) of subdivision one of section three hundred ninety of this title [~~or any authorized agency as defined in paragraph (a) of subdivision ten of section three hundred seventy-one of this title including any agency boarding home or group home~~] installing new or replacement window coverings shall install cordless window coverings or window coverings with inaccessible operational and inner cords.

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

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

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

~~(c) vertical blinds and other window covering products with loops utilized in their operation~~] **ensure that all window and door blind cords, ropes, wires and other strangulation hazards are secured and inaccessible to children in accordance with the regulations of the office of children and family services**.

4. If a [~~person~~] **child day care center** fails to comply with the requirements of subdivision three of this section, the [~~authorized agency~~] **office of children and family services** may require replacement of existing window coverings with cordless window coverings or window coverings with inaccessible operational and inner cords.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 relating to establishing Brendan's law; and amending the social services law relating to requiring cordless window coverings in child day care centers and certain other facilities, as proposed in legislative bills numbers S. 6900 and A. 2150-A, takes effect.