

By: Geren

H.B. No. 2255

A BILL TO BE ENTITLED

AN ACT

relating to the recovery of certain payments by motor vehicle manufacturers and distributors from motor vehicle dealers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2301.405, Occupations Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) Notwithstanding a provision in a franchise agreement and except as provided by this section, a manufacturer or distributor may not directly or indirectly recover from a dealer an amount paid by the manufacturer or distributor to the dealer under this subchapter to reimburse the dealer for parts or labor by:

(1) chargeback;

(2) surcharge;

(3) an increase in the wholesale price of a motor vehicle or part; or

(4) other means.

(d) Subsection (c) does not prohibit a manufacturer or distributor from increasing the price of a motor vehicle or part in the normal course of business.

SECTION 2. This Act takes effect September 1, 2013.