

By: Eltife

S.B. No. 812

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the recovery of certain payments by motor vehicle
3 manufacturers and distributors from motor vehicle dealers.

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

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

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

12 (1) chargeback;

13 (2) surcharge;

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

16 (4) other means.

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

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