

By: Morales of Harris

H.B. No. 2110

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the automatic transfer of manufacturer's warranties on
3 air conditioning systems conveyed with residential real property.

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

5 SECTION 1. Title 12, Business & Commerce Code, is amended by
6 adding Chapter 608 to read as follows:

7 CHAPTER 608. MANUFACTURER'S WARRANTIES ON AIR CONDITIONING SYSTEMS

8 Sec. 608.001. DEFINITIONS. In this chapter:

9 (1) "Air conditioning system" means a heating,
10 ventilation, and air conditioning system that provides heating and
11 cooling to a building.

12 (2) "Residential real property" has the meaning
13 assigned by Section 22.001.

14 (3) "Warrantor" means a person who is contractually
15 obligated to repair or replace a product under a warranty
16 agreement.

17 Sec. 608.002. TRANSFER OF MANUFACTURER'S WARRANTY. (a) If
18 residential real property that includes an air conditioning system
19 as a fixture to the property is conveyed to a new owner, a
20 manufacturer's warranty in effect on that system or a component of
21 that system on the date of the conveyance:

22 (1) is automatically transferred to the new owner; and

23 (2) continues in effect as if the new owner was the
24 original purchaser of the system or component, as applicable.

1 (b) A warrantor continues to be obligated under the terms of
2 a manufacturer's warranty agreement for a warranty transferred
3 under this section and may not charge a fee for the transfer of the
4 warranty.

5 (c) The transfer of a manufacturer's warranty under this
6 section does not extend the original term of the warranty
7 agreement.

8 SECTION 2. The change in law made by this Act applies only
9 to a warranty agreement entered into or renewed on or after the
10 effective date of this Act. A warranty agreement entered into or
11 renewed before the effective date of this Act is governed by the law
12 in effect on the date the agreement was entered into or renewed, and
13 the former law is continued in effect for that purpose.

14 SECTION 3. This Act takes effect September 1, 2021.