

By: Morales of Harris

H.B. No. 2110

A BILL TO BE ENTITLED

AN ACT

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

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

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

CHAPTER 608. MANUFACTURER'S WARRANTIES ON AIR CONDITIONING SYSTEMS

Sec. 608.001. DEFINITIONS. In this chapter:

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

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

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

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

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

(2) continues in effect as if the new owner was the 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.