

1-1 By: Morales of Harris (Senate Sponsor - Whitmire) H.B. No. 2110
1-2 (In the Senate - Received from the House April 26, 2021;
1-3 May 10, 2021, read first time and referred to Committee on Business
1-4 & Commerce; May 20, 2021, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 20, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hancock	X		
1-9	Nichols	X		
1-10	Campbell	X		
1-11	Creighton	X		
1-12	Johnson	X		
1-13	Menéndez	X		
1-14	Paxton	X		
1-15	Schwertner	X		
1-16	Whitmire	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the automatic transfer of manufacturer's warranties on
1-20 air conditioning systems conveyed with residential real property.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Title 12, Business & Commerce Code, is amended by
1-23 adding Chapter 608 to read as follows:

1-24 CHAPTER 608. MANUFACTURER'S WARRANTIES ON AIR CONDITIONING SYSTEMS

1-25 Sec. 608.001. DEFINITIONS. In this chapter:

1-26 (1) "Air conditioning system" means a heating,
1-27 ventilation, and air conditioning system that provides heating and
1-28 cooling to a building.

1-29 (2) "Residential real property" has the meaning
1-30 assigned by Section 22.001.

1-31 (3) "Warrantor" means a person who is contractually
1-32 obligated to repair or replace a product under a warranty
1-33 agreement.

1-34 Sec. 608.002. TRANSFER OF MANUFACTURER'S WARRANTY. (a) If
1-35 residential real property that includes an air conditioning system
1-36 as a fixture to the property is conveyed to a new owner, a
1-37 manufacturer's warranty in effect on that system or a component of
1-38 that system on the date of the conveyance:

1-39 (1) is automatically transferred to the new owner; and
1-40 (2) continues in effect as if the new owner was the
1-41 original purchaser of the system or component, as applicable.

1-42 (b) A warrantor continues to be obligated under the terms of
1-43 a manufacturer's warranty agreement for a warranty transferred
1-44 under this section and may not charge a fee for the transfer of the
1-45 warranty.

1-46 (c) The transfer of a manufacturer's warranty under this
1-47 section does not extend the original term of the warranty
1-48 agreement.

1-49 SECTION 2. The change in law made by this Act applies only
1-50 to a warranty agreement entered into or renewed on or after the
1-51 effective date of this Act. A warranty agreement entered into or
1-52 renewed before the effective date of this Act is governed by the law
1-53 in effect on the date the agreement was entered into or renewed, and
1-54 the former law is continued in effect for that purpose.

1-55 SECTION 3. This Act takes effect September 1, 2021.

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