88R29233 SHH-D

By:  Zaffirini, et al. S.B. No. 2250

(Lambert)

Substitute the following for S.B. No. 2250:

By:  Isaac C.S.S.B. No. 2250

A BILL TO BE ENTITLED

AN ACT

relating to the execution of a certificate of completion and to imposing certain requirements under a retail installment contract for the purchase of solar panels.

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

SECTION 1.  Subchapter B, Chapter 345, Finance Code, is amended by adding Section 345.0811 to read as follows:

Sec. 345.0811.  CERTIFICATE OF COMPLETION FOR SOLAR PANEL RETAIL INSTALLMENT CONTRACT; CONSEQUENCE OF CERTAIN FAILED BUILDING CODE INSPECTIONS. (a) A retail buyer who is required by a retail seller of solar panels to execute a certificate of completion is entitled to deferment of installment under Section 345.069 if:

(1)  a solar panel installation purchased under a retail installment contract fails a building code inspection resulting from the installation of the solar panels not later than the first anniversary of the execution of the certificate of completion covering the installation; and

(2)  the retail buyer notifies the retail seller of the failed building code inspection not later than the 30th day after the date of the inspection.

(b)  A retail buyer is entitled to a deferment of installment under Subsection (a) for the period:

(1)  beginning on the date the retail buyer notifies the retail seller of the failed building code inspection under Subsection (a)(2); and

(2)  ending on the date the retail seller corrects the work cited by the failed inspection.

(c)  If a retail seller of solar panels does not correct the work cited by the failed building code inspection before the 91st day after the date the retail seller receives the notice under Subsection (a)(2):

(1)  the certificate of completion is void;

(2)  the retail seller shall exercise reasonable care to remove the solar panel installation and correct any incidental damage to the real property resulting from the installation and removal; and

(3)  the retail buyer is entitled to rescind the retail installment contract and receive a refund of all payments under or in contemplation of the contract.

SECTION 2.  Section 345.0811, Finance Code, as added by this Act, applies only to a retail installment contract entered into on or after the effective date of this Act. A retail installment contract entered into before the effective date of this Act is governed by the law in effect on the date the contract was entered into, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2023.