



Substitute Senate Bill No. 821

Public Act No. 17-153

**AN ACT CONCERNING ROOFING, WINDOW AND SIDING
CONSUMER WARRANTIES AND POST-SALE WARRANTY WORK
REIMBURSEMENT FOR POWER EQUIPMENT DEALERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective January 1, 2018*) (a) Whenever a manufacturer of residential roofing, window or siding materials offers a consumer warranty for any such roofing, window or siding materials, such manufacturer shall pay any warranty claim made for materials and labor pursuant to such warranty not later than thirty days after receipt and approval of such claim by the manufacturer. The manufacturer shall approve or disapprove a warranty claim not later than thirty days after receipt of such claim by the manufacturer. If a warranty claim is not disapproved in writing by the thirtieth day after receipt of such claim by the manufacturer, it shall be deemed to be approved and payment shall be made by the manufacturer not later than thirty days thereafter.

(b) A manufacturer that pays a consumer warranty claim pursuant to subsection (a) of this section shall pay the consumer the full price for any materials and the hourly labor rate the consumer was charged, provided the consumer documents such price and rate in writing and further provided the total amount payable for such claim is not greater

Substitute Senate Bill No. 821

than the amount paid by the consumer for the original purchase and installation of the residential roofing, window or siding material.

Sec. 2. Section 42-351 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2018*):

(a) Whenever a supplier and a dealer enter into a dealer agreement that provides for consumer warranties, the supplier shall pay any warranty claim made for parts and service not later than thirty days after receipt and approval of such claim by the supplier. The supplier shall approve or disapprove a warranty claim not later than thirty days after receipt of such claim by the supplier. If a warranty claim is not disapproved in writing by the thirtieth day after receipt of such claim by the supplier, it shall be deemed to be approved and payment shall be made by the supplier not later than thirty days thereafter.

(b) A supplier that pays a warranty claim pursuant to subsection (a) of this section shall pay the dealer the full retail price for any parts and the hourly labor rate the dealer charges consumers for nonwarranty repair work for service.

(c) A supplier shall not deny a warranty claim made by a dealer pursuant to subsection (a) of this section or charge-back such a claim following a timely audit based solely on the dealer's failure to comply with a claim processing procedure, a clerical error or other administrative technicality, provided the failure to comply does not call into question the legitimacy of the claim. The supplier shall allow the dealer to resubmit a denied claim according to reasonable supplier guidelines not later than thirty days after the initial claim denial or charge-back.

Vetoed July 7, 2017